



# TOWN OF FREDERICK

Frederick Town Hall 401 Locust Street  
Town Board of Trustees Agenda  
Tuesday, April 23, 2013

**6:30 P.M.**

**Work Session**  
General Discussion

**7:00 P.M.**

**Regular Meeting:**

**Call to Order – Roll Call:**

**Pledge of Allegiance:**

**Approval of Agenda:**

**Special Presentations:**

**Public Comment:** This portion of the Agenda is provided to allow members of the audience to provide comments to the Town Board. Please sign in and the Mayor will call you. If your comments or concerns require an action, that item(s) will need to be placed on a later Agenda. Please limit the time of your comments to five (5) minutes.

**Staff Reports:**

A. Town Attorney's Report– Rick Samson, Town Attorney

**Action Agenda:**

- B. Resolution 13R18 2013 Frederick Scholarship Awards – Jamie Adamson, Administrative Assistant
- C. Consideration of Appointment to the Youth Commission – Megan Williams, Community Relations Manager
- D. Consideration of Appointment to the Youth Commission – Megan Williams, Community Relations Manager
- E. Consideration of Appointment to the Parks and Open Space Commission – Jennifer Simmons, Planning Director
- F. Ordinance 1138 TABOR Ballot Language– Matt LeCerf, Town Manager

**Discussion Agenda:**

- G. Chickens in Residential Zones– Jennifer Simmons, Planning Director
- H. Projected 2013 Water Supply in Frederick and Potential need for Water Restrictions – Richard Leffler, Engineering and Utilities Director

**Consent Agenda:** Consent Agenda items are considered to be routine and will be enacted by one motion and vote. There will be no separate discussion of Consent Agenda Items unless a Board member so requests, in which case the item may be removed from the Consent Agenda and considered at the end of the Consent Agenda.

- I. Ordinance 1137 Changing the Composition of the Arts Commission– Rick Samson
- J. Resolution 13R19 Regarding the review of the request for a conditional use permit for the Stevinson Hyundai dealership – Chris Kennedy, Planner
- K. Resolution 13R20 Adjusting the Cash in Lieu Fee for the Town's CBT Water Share Fee – Richard Leffler, Engineering and Utilities Director
- L. Acknowledgement of Receipt of List of Bills – Mitzi McCoy, Finance Director
- M. Approval of April 16, 2013 Minutes – Meghan Martinez, Town Clerk

**Mayor/ Trustee Reports:**

**Work Session:** General Discussion

**TOWN OF FREDERICK  
ATTORNEY STATUS REPORT  
April 18, 2013**

**LITIGATION**

<b>Item/Topic</b>	<b>Date Initiated</b>	<b>Status/Date Completed</b>
None		

**DEVELOPMENT MATTERS-RECENT**

<b>Item/Topic</b>	<b>Date Initiated</b>	<b>Status/Date Completed</b>
Hauck Preserve	2012	Awaiting deposit of initial escrow from owners.
NATEX Recycling	2012	Monitoring progress through environmental consultant for commercial recycling site; Bldg Div has permit ready, but no one has come to pick up, submittal deadline was 02/05/2013
Huron Produce	2013	Pending, Godding Hollow unpermitted construction remediation, awaiting further design materials from Architect (Skinner) on as-built drawings
LMI Site Plan	2013	Pending, Awaiting resubmittal from applicant
Miner's Park TC asphalt milling MOU	2013	Pending, terms negotiated with property owner; Matter before BOT 04/09/2013 for approval
FFFPD fire station #4, Lots A and B combination	2013	Pending, reviewed initial application materials, returned comments to Dev Review Committee; awaiting additional submittal updates
Stevinson Auto Conditional Use and Site Plan (Raspberry Hill Bus)	2013	Pending, conditional use application review and approved by Planning Commission 4/02/2013; Awaiting additional materials on Site Plan application for Hyundai dealership and detail shop
Raspberry Hill Business Park		Working with developer to complete outstanding issues so Stevenson can move forward.
Replat of Wyndham filing 1 and 2	2013	Under review, to be completed NLT 5/1/13.
Glacier Business Park/Tri-State Generation Replat	2013	Under review, to be completed NLT 5/2/13.

**DEVELOPMENT MATTERS-CARRYOVER**

<b>Item/Topic</b>	<b>Date Initiated</b>	<b>Status/Date Completed</b>
Rinn Villy Park Improvements	2008	Awaiting final costs from developer; LOC extension expires 06/2013; Developer has chosen a park contractor, but no civil engineer yet; construction pending by 05/2013

## LICENSES, FRANCHISES, AGREEMENTS, CONTRACTS AND ORDINANCES

Item/Topic	Date Initiated	Status/Date Completed
Potential Annexation-Del Camino	2012	<ul style="list-style-type: none"> <li>Pending, One additional annexations under review</li> <li>Awaiting details on title matters regarding additional property adjacent to I-25</li> <li>Schillinger petition accepted as sufficient by BOT on 03/26/2013; Planning Commission reviewed and approved 04/02/2013; returning to BOT for public hearing and final approval 05/14/2013</li> </ul>
Oil/Gas operator MOU	2012	Delayed, Awaiting direction from BOT on preferred option MOU vs. regulation
Proposed OGCC rulemaking	2013	In process, Reviewing final COGCC rules; met with staff 01/29/2013 to recommend LUC amendments; Awaiting additional direction on LUC updates
Seismic testing bond requirements	2013	Monitoring; Worked with staff on two contractors; Staff fielded complaints with first, none on second; No new tests pending; Awaiting staff inspection to see if damage occurred to ROWs
Sundance Energy agreements and license	2013	Delayed; Several meetings with Sundance Energy on SUA and special use permit requirements on open space property; Suspended revision to SUA to see if potential residences and open space impacts can be mitigated; Sundance evaluating regulatory constraints at the state; Awaiting additional plans from Sundance re: well placement
2012 ICC Int'l Bus Code adoption	2013	Coordinating with staff on form of adoption and amendments to update Town Bldg Code; Bldg Div meeting with contractors and FFFPD on Code updates in April, work session w/ in May 2013
Farmer's Market wine tasting	2013	Pending, Researched stat liquor licensing requirements and options for limited winery tastings at local farmer's markets, Awaiting additional instruction from market organizers
WCR 18 ROW dedication	2013	Dedication/designation by Town of land for ROW along Waters Edge Subdiv. and Godding Hollow, matter before BOT for approval 04/09/2013
Restructuring Arts Commission		Ordinance to be adopted on 4/23/13.
Amending Business License for Child Care		Ordinance prepared.

**OTHER LEGAL MATTERS**

<b>Item/Topic</b>	<b>Date Initiated</b>	<b>Status/Date Completed</b>
OCon Group – drainage, 7603 Miller Dr	2012	Monitoring, coordinating with staff on Red Neck Trailer mitigation in easement; anticipating permit filing from Red Neck

**GENERAL ADVICE ITEMS**

<b>Item/Topic</b>	<b>Date Initiated</b>	<b>Status/Date Completed</b>
Amendment 64	2012	Reviewed CML materials on amendment and timing for State regulations; Conferred with prosecutor on request from PD; Awaiting BOT review and direction on draft ordinance(s)

## INACTIVE

### LITIGATION

VanDeventer (Net Lease)	10/07	Monitoring; property is currently posted for sale, but no activity in 5 yrs; Item on Attny 2012 major project list- need direction from BOT on whether to proceed with survey recording or wait for R/E activity

### DEVELOPMENT MATTERS

Johnson Farm/The Farm-dev agreement	2010	Awaiting 3rd replat mylar, St Aubyn purchased bulk of vacant lots in 7/2012
Hinkle Farm Filing 1	2007	Monitoring; awaiting info from Developer
Halleck Subdivision Replat/Rd Engineering	2009	Delayed; Proceeding with sidewalk and ROW dedication; Owner not in hurry to set ROW alignment or address HOA issues though
Miner's Park Town Center Agreement to Dedicate	05/2012	Delayed, Developer approved initial agreement to designate property to be dedicated; Awaiting return of executed deed; Awaiting final details on o/g operator request to developer to drill outside statutory drill windows; working on ROW title issues

### LICENSES, FRANCHISES, AGREEMENTS, CONTRACTS AND ORDINANCES

Fence Permit/Review Resolution	2009	Inactive
United Power Agmnt	2009	Delayed, Engineer reviewing alt power purchase options and setting up meeting on asset values
New Consolidated Lwr Bldr Res/Ditch Co Agreement-Waters Edge	2009	Delayed, awaiting QC deeds from Ditch Co
Abound Solar extra-terr service	2011	Inactive, <b>company filing bankruptcy</b>
Potential water rights/ share acquisition	2012	Abandoned following withdrawal of offer pending verification of title and associated legal action between co-tenants, awaiting clarification of ownership issues and direction from BOT

## OTHER LEGAL MATTERS

St Vrain San/Tri-Area Properties	2007	Inactive; Refined list of easements
Kerr McGee App's for Hauck Wells	2008	Inactive; letter sent to Kerr McGee, awaiting compliance
Fred Rec Area/Milavec-Nobel	2009	Inactive, Nobel not reimbursing for rd, barbed wire violation cured
Machii-Ross new well applications to COGCC, and non-compliance w/ FMC	4/27/2010	Inactive, awaiting State reply to Town letter, well app is reserving rather than preparing to operate
Fred. H.S. ditch rights issue	2011	Awaiting info from ditch co
Summit Field/Mordini Watters construction water use billing	2010	Inactive, need BOT direction on engaging PI or dropping
Oil and gas inspection fees	2007	All operators billed for 2011; Collections are on hold, pending outcome of KPK appeal on enforceability of inspection/ monitoring fee
Oil and gas inspections	2011	Pending, CSO proceeding with 2012 monitoring; drafting revised process under KPK decision
DOLA severance tax collections	2011	Delayed, Staff preparing updated info request forms for DOLA



# TOWN OF FREDERICK

## Board of Trustees

### Agenda Memorandum

Jim Wollack, Mayor Pro Tem  
Rafer Burnham, Trustee  
Amy Schiers, Trustee

Tony Carey, Mayor

Laura Brown, Trustee  
Gavin Payne, Trustee  
Fred Skates, Trustee

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#### Town of Frederick High School Scholarship Program

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**Agenda Date:** Town Board Meeting - April 23, 2013

**Attachments:**

- a. Town of Frederick Applications Recommended for FHS Scholarship Program
- b. Resolution 13-R-18

**Finance Review:** N/A

Finance Director

**Submitted by:** **Jamie Adamson**

Administrative Assistant

**Approved for Presentation:**

  
Town Manager

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#### **Summary Statement:**

The information provided are the recommended recipients for the Town of Frederick Scholarship as reviewed and nominated by the Scholarship Nominating Committee

#### **Detail of Issue/Request:**

Each year the Town of Frederick awards two scholarships to High School Seniors, one male and one female. The criteria includes the following:

##### ***Sec. 4-165. Qualifications.***

*To be eligible for consideration, the candidate must meet the following requirements:*

- (1) Must be a graduating senior from an accredited high school or accredited home schooling program in Colorado.*
- (2) Must be a resident of the Town of Frederick.*
- (3) Must have a cumulative grade point average of 3.0 and must have taken a college*



*preparatory curriculum.*

*(4) Must have excelled in extra-curricular activities such as drama, music, art, student government, athletics, science clubs, etc.*

***Sec. 4-166. Restrictions.***

*(a) The student must attend an accredited college or university and have a plan to pursue a bachelor's degree. Attending a junior college for the first two (2) years is acceptable.*

*(b) To remain eligible for funding, the student must achieve at least a 3.0 grade point average for each year.*

*(c) The Scholarship Commission will review all continuing students (students awarded the scholarship in previous years) for compliance with grade point average requirements and recommend to the Board of Trustees continuation or termination of the scholarship.*

In total there were five (5) female and three (3) male applicants all who submitted exceptional applications making the decision to recommend difficult.

**Legal/Political Considerations:**

None.

**Alternatives/Options:**

1. Support the recommendations of the Scholarship Committee
2. Request a comprehensive and complete review of all applicants by the Board of Trustee's for consideration.

**Financial Considerations:**

The item for consideration is budgeted.

**Staff Recommendation:**

The recommendation of the Scholarship Nominating Committee is to award to applicants #1 and #4 as presented in your packet.

①

### STUDENT APPLICATION

Name: [REDACTED] Gender: Male

Residential address: [REDACTED] [REDACTED] [REDACTED], Frederick, Co.

Grade point average at graduation: 4.22

College or University that you have been accepted to attend: Colorado School of Mines

Address of College or University: 1500 Illinois St, Golden, Colorado

Anticipated field of study: Mechanical Engineering

Your application packet must be submitted to the Town of Frederick (Town Hall, 401 Locust Street, P.O. Box 435, Frederick, Colorado 80350-0435) and must include this form completed and attached to the following three items:

- **LETTERS OF RECOMMENDATION.** Please provide with your application packet three letters of recommendation from adults that have worked with you and know your character and post-secondary educational goals. In order to fulfill this requirement, you may utilize letters from teachers, extracurricular advisors, coaches, religious leaders, community members, current or previous employers, etc. A diversity of categories (educational, community, employment, religious, etc.) in those who provide the letters is preferred. Below, please list the name of each person who has provided a letter, their relationship with you, and how long you have known them.

Name	Relationship	Time
1. Linda Martyr	3rd grade teacher	[ 9 ] years, [ ] months
2. Theresa Randolph	Fam <sup>ly</sup> teacher	[ 8 ] years, [ ] months
3. Scott Duckworth	H <sup>igh</sup> school teacher	[ 4 ] years, [ 4 ] months

- **STUDENT ESSAY.** Please provide with your application packet an essay not to exceed 1,000 words that has been written by you describing information regarding your educational, extracurricular, and other pursuits during your high school years; your educational plans for the future; and why you feel that you should receive this scholarship award.
- **HIGH SCHOOL TRANSCRIPT.** Please provide with your application packet a final copy of your high school transcript including cumulative GPA and ACT (college entrance exam) scores.

I hereby attest that all information contained within this application packet has been prepared by the applicant and is true and accurate.

[Signature]  
Applicant signature

4/3/13  
date

My name is [REDACTED] Many would describe me as quirky but intelligent. Throughout my academic career I've established myself as one of the best in the class with consistently high grades. I'm an active participant in the National Honors Society as well as the Science Technology Engineering and Math Program. I've also spent time in computer club and represented the STEM program at a local middle school with my Vex Robot created in the program. I am also an athlete, having gone to state in Track and Field as well as getting a Varsity Letter in Tennis. Others would describe me as a well rounded student with aspiring goals for the future.

It is my earnest hope to one day be able to design the technology of the future. To one day be able to establish the computers, phones, cars, and everyday items that new generations will use everyday. To accomplish this, I need to become employed as an engineer for a large firm, so my ideas can be propagated and used by the public. The first step to get there is to go to a good engineering college.

I've already been accepted into Colorado School of Mines. Hopefully Mines will provide the skills and connections for me to be able to realize my dream of becoming an engineer. Unfortunately, Mines is an expensive school, so I need to try and amass the funds to pay for tuition. This is why I have been applying for as many scholarships as I can. If I receive your award, it will take me one step closer to accomplishing my dreams by helping to fund my education.

Creating new designs, following up with the producer and creating a visual model, then fine tuning the design with careful testing, a career in engineering is a difficult but rewarding one. To one day be able to fix the faulty engines of commercial vehicles or perhaps create innovative new cell phones is my goal in life. I love all aspects of engineering. Building, fixing, and especially

25 October 2012

Dear Scholarship Committee:

██████████ has my highest recommendation to be awarded a generous scholarship from your organization. He is an outstanding person, student and athlete. ██████ was a student in my third grade class at Prairie Ridge Elementary School in Firestone, Colorado. I have stayed in touch with him and his family through the years and have followed ██████ academic career with interest and pride. While in elementary school, he was already a standout as a student, while also demonstrating amazing creativity.

With a weighted GPA of 4.22, ██████ is currently ranked second in his class at Skyline High School in Longmont, Colorado. He has taken many rigorous courses, including Advanced Placement Biology, Advanced Placement World History and Advanced Placement Language. He scored a five on the biology examination and fours on the history and language examinations.

██████████ attended Skyline High School in order to take advantage of their STEM program. Science, technology, engineering and math are major interests and areas of strength for him. He completed a technology internship during his time at Skyline. He has taken numerous engineering classes, including robotics and creative engineering. I have enjoyed discussions with him about his interests.

I have witnessed first hand ██████ as a patient tutor in math for students in our elementary school. His leadership was appreciated by the teachers and students he with which he worked. He is of the highest character, integrity, and work ethic. He also has demonstrated his determination and abilities on the athletic field. He is state-triple jumper and varsity track and field member.

I am currently a third grade teacher at Legacy Elementary in Frederick, Colorado. I received my B.A. in Human Development from California State University, Sacramento. My Master's degree is in Educational Technology from William Paterson College in Wayne, New Jersey. As you can see, ██████ and I have shared an interest in technology over the years.

I have been a teacher of grades 3-5 for 26 years. ██████ stands out as one of the most outstanding students I have had the honor to work with and know as a person. I look forward to hearing about his future accomplishments. It is from this perspective that I affirm that ██████ is an extraordinary young man with the intellect, integrity, leadership skills, and determination to succeed in any endeavor he chooses. He has my highest recommendation to be awarded a generous scholarship from your organization.

Sincerely,

Mrs. Linda Martyr, M. Ed

# Legacy Elementary

7701 Eagle Blvd.  
Frederick, CO 80504

To the Town of Frederick,

15 March 2013

It is with a great deal of pleasure that I write this letter of recommendation for [REDACTED]. I have known [REDACTED] four years and have watched his accomplishments academically and athletically, as well as, interacted socially with him and his family.

[REDACTED] is the oldest of three boys and has set the bar for success at a high level in the [REDACTED] house. His brother, [REDACTED] is close in age and shares many of the same interests as [REDACTED]. These two brothers lean on each other for strength and camaraderie. [REDACTED] youngest brother, [REDACTED], keeps close tabs on his brother's successes and has adapted traits and characteristics to emulate.

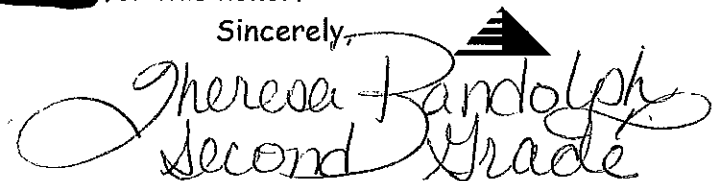
[REDACTED] has a sense of humor that is both refined and corny mixed together to create a hilarious testament to a young man who is confident and eager to seize what the world has to offer. His sense of humor allows him the opportunity to take chances and risks where others may pass. [REDACTED] volunteered in my classroom two years ago and brought a breath of fresh air to a group of second grade boys who wanted to succeed but had their "reputations" to uphold. [REDACTED] allowed for their silliness and immaturity while, at the same time, challenged them to show what they knew. He made knowing information and being intelligent something very cool and definitely a positive in today's society.

[REDACTED] would add a fresh, new perspective to any program he enters in college. He can and does demonstrate leadership qualities that would benefit any team. He ponders life at a deep level and is able to convey his thoughts and ideas with integrity and conviction. While in high school, [REDACTED] maintained well over a 4.0 weighted GPA and took advantage of learning all he could through the advanced placement classes offered by his high school. He was one of the pioneers of the highly successful STEM program offered through Skyline High School and has managed to participate in academic clubs and offerings as well as athletics while commuting to his high school in Longmont from his home in Frederick.

I admire the fortitude in which [REDACTED] has addressed his high school years. He knows how to grab the most from each day and has explored avenues open to him with curiosity and excitement. He is worthy of any scholarship help he receives and will make his college years advantageous to both him and his chosen school. He is a great asset to the town of Frederick.

Thank you for considering [REDACTED] for this honor.

Sincerely,

 Theresa Randolph  
Second Grade



# Skyline High School

600 E. Mountain View Avenue • Longmont, Colorado 80504 • Phone (720) 494-3741 • Fax (303) 682-7382

April 2, 2013

To whom it may concern,

I have been asked by [REDACTED] to write him a letter of recommendation. I am pleased to do so. I have known [REDACTED] since his freshman year. I have had him in many pre-engineering and Physics classes over the years. This year he is a student in my AP Physics C class. [REDACTED] is a very intelligent and talented young man with a bright future ahead of him.

When reflecting on my experiences with [REDACTED], it is hard not to think back to his freshman year. What stuck out most was his confidence in his intelligence and abilities. No matter the challenge placed before him, he was certain he would overcome them and that his solution was the correct one. At first this caused some tension with his peers during group work, but they soon learned he usually was correct. Over the years his classmates have come to appreciate his input and ideas, and he has learned skills to be more tactful in his approach. This year he is a sought out group member, and students seek his input regularly. The confidence still remains, but he has learned to accept and integrate the ideas of others into his solutions. He is both a capable group member when acting in a supporting or leadership role. [REDACTED] academic success puts him near the top of his class, but it is his maturation in collaboration that has impressed me the most.

[REDACTED] has demonstrated a high level of success through out his high school career. Both he and I are confident he will overcome any challenges he faces in the future. As you take [REDACTED] into consideration, I strongly recommend him for your selection.

Sincerely,

Scott Duckworth  
Science Teacher  
Skyline High School  
Longmont, CO 80504

*Home of the Falcons*

Student Information				#7954 Skyline High School				#7954 Skyline High School			
Student Name: ██████████ Student Number: 132629      Grade: 12 Birthdate: 09/20/1994      Gender: M				Course	Mark	Weight	Credit	Course	Mark	Weight	Credit
GPA Summary				2010-2011 Grade 10 Term 1				2012-2013 Grade 12 Term 1			
Cumulative GPA (Weighted) 4.211				MA120A Algebra 2A A- 0.5000 0.5				*MA500A AP Calculus A/B A C 0.5000 0.5			
Class Rank 4 of 253				*SC510A AP Biology A A 0.5000 0.5				*LA510A AP English Literature A A- 0.5000 0.5			
Cumulative GPA (Unweighted) 3.825				*SC510B AP Biology B A 0.5000 0.5				*SC535A AP Physics A--Calc Based B- 0.5000 0.5			
CS500A AP Computer Science A A 0.5000 0.5				*SS515A AP World History A A 0.5000 0.5				*SS510A AP US History A A 0.5000 0.5			
ST104 Cr Eng 1: Robotics A 0.5000 0.5				*LA121A English Honors 10A A 0.5000 0.5				LA222 Senior English College Writing A 0.5000 0.5			
WL152A Spanish 2A A 0.5000 0.5				Credit: 4.000 GPA: 4.562 U/W GPA: 4.000				SS235 Sociology A- 0.5000 0.5			
# St. Vrain Valley School District				2010-2011 Grade 10 Term 2				ST130A Sr Engineering Design ProjectA A- 0.5000 0.5			
Course	Mark	Weight	Credit	MA120B Algebra 2B A- 0.5000 0.5				Credit: 3.500 GPA: 4.143 U/W GPA: 3.571			
2009-2010 Grade 09 Term 1				*SC510C AP Biology C A 0.5000 0.5				Work In Progress			
MS200 Driver's Education P 0.0000 0.25				*CS500B AP Computer Science A 0.5000 0.5				MA500B AP Calculus A/B B 0.500			
Credit: .250 GPA: 0.0000 U/W GPA: 0.0000				*SS515B AP World History B A 0.5000 0.5				LA510B AP English Literature B 0.500			
#7954 Skyline High School				ST105 Cr Eng 2: Assistive Tech B 0.5000 0.5				SC535B AP Physics B--Calc Based 0.500			
Course	Mark	Weight	Credit	*LA121B English Honors 10B A 0.5000 0.5				SC535C AP Physics C--Calc Based 0.500			
2009-2010 Grade 09 Term 1				PE115 Recreational Games A 0.5000 0.5				SS510B AP US History B 0.500			
*SC121A Biology Honors A A 0.5000 0.5				WL152B Spanish 2B A 0.5000 0.5				ST130B Sr Engineering Design ProjectB 0.500			
*LA113A English Honors 9A B 0.5000 0.5				Credit: 4.000 GPA: 4.312 U/W GPA: 3.875				Credit Summary			
MA115A Geometry A A 0.5000 0.5				2010-2011 Grade 11 Term 1				0.0 High School Attempted Earned			
CS103 Introduction to Programming A+ 0.5000 0.5				ST108 Cr Eng 5: Historical Tech A 0.5000 0.5				Electives 0.750 0.750			
WL151A Spanish 1A A 0.5000 0.5				Credit: .500 GPA: 4.000 U/W GPA: 4.000				Fine Arts 0.500 0.500			
TE104 Technology 1 A 0.5000 0.5				2011-2012 Grade 11 Term 1				Health 0.500 0.500			
ST101 Wired A- 0.5000 0.5				ST120 Adv Eng 1: Robotics A- 0.5000 0.5				Language Arts 4.000 4.000			
*SS111A World Geo/Hist Honors A 0.5000 0.5				ST122 Adv Eng 3: Engineering Science A- 0.5000 0.5				Mathematics 3.500 3.500			
Credit: 4.000 GPA: 4.062 U/W GPA: 3.875				*SC520A AP Chemistry A B+ 0.5000 0.5				Physical Education 2.000 2.000			
2009-2010 Grade 09 Term 2				*LA500A AP Eng Lang & Comp A B+ 0.5000 0.5				Practical Arts 6.000 6.000			
*SC121B Biology Honors B A- 0.5000 0.5				*SS505A AP US Government/Politics A- 0.5000 0.5				Science 4.500 4.500			
*LA113B English Honors 9B A 0.5000 0.5				PE114 Net & Target A 0.5000 0.5				Social Studies 4.000 4.000			
ST102 Explorations in STEM A- 0.5000 0.5				MA133A Pre-Calculus with Trig A B 0.5000 0.5				World Languages 3.000 3.000			
MA115B Geometry B A 0.5000 0.5				WL153A Spanish 3A A- 0.5000 0.5				Total 28.750 28.750			
H100 Health A- 0.5000 0.5				Credit: 4.000 GPA: 4.000 U/W GPA: 3.625				Comments			
PE111 PE 9 A+ 0.5000 0.5				2011-2012 Grade 11 Term 2				THIS IS AN UNOFFICIAL TRANSCRIPT.			
WL151B Spanish 1B A 0.5000 0.5				*SC520B AP Chemistry B B+ 0.5000 0.5							
*SS111B World Geo/Hist Honors B A 0.5000 0.5				*SC520C AP Chemistry C B+ 0.5000 0.5							
Credit: 4.000 GPA: 4.188 U/W GPA: 4.000				*LA500B AP Eng Lang & Comp B A 0.5000 0.5							
				*SS505B AP US Government/Politics B A- 0.5000 0.5							
				A122 Beginning Digital Photography A+ 0.5000 0.5							
				MA133B Pre-Calculus with Trig B A 0.5000 0.5							
				WL153B Spanish 3B A 0.5000 0.5							
				PE121 Team Games A 0.5000 0.5							
				Credit: 4.000 GPA: 4.250 U/W GPA: 3.750							
				2011-2012 Grade 12 Term 1							
				ST124 Adv Eng 5: Aerospace Engineer A- 0.5000 0.5							
				Credit: .500 GPA: 4.000 U/W GPA: 4.000							

\* Courses with max GPA value > 4.0

(4)

### STUDENT APPLICATION

Name: [REDACTED] Gender: F

Residential address: [REDACTED] Frederick, Co 80504

Grade point average at graduation: 4.292

College or University that you have been accepted to attend: Colorado School of Mines

Address of College or University: 1500 Illinois St, Golden, Co 80401

Anticipated field of study: Environmental Engineering

Your application packet must be submitted to the Town of Frederick (Town Hall, 401 Locust Street, P.O. Box 435, Frederick, Colorado 80350-0435) and must include this form completed and attached to the following three items:

- **LETTERS OF RECOMMENDATION.** Please provide with your application packet three letters of recommendation from adults that have worked with you and know your character and post-secondary educational goals. In order to fulfill this requirement, you may utilize letters from teachers, extracurricular advisors, coaches, religious leaders, community members, current or previous employers, etc. A diversity of categories (educational, community, employment, religious, etc.) in those who provide the letters is preferred. Below, please list the name of each person who has provided a letter, their relationship with you, and how long you have known them.

Name	Relationship	Time
1. Mr. Corey Johnson	Teacher	[ 0 ] years, [ 9 ] months
2. Mr. John Crosby	Teacher	[ 1 ] years, [ 9 ] months
3. Mr. Michael Stovel	Supervisor	[ 1 ] years, [ 1 ] months

- **STUDENT ESSAY.** Please provide with your application packet an essay not to exceed 1,000 words that has been written by you describing information regarding your educational, extracurricular, and other pursuits during your high school years; your educational plans for the future; and why you feel that you should receive this scholarship award.
- **HIGH SCHOOL TRANSCRIPT.** Please provide with your application packet a final copy of your high school transcript including cumulative GPA and ACT (college entrance exam) scores.

I hereby attest that all information contained within this application packet has been prepared by the applicant and is true and accurate.

[REDACTED]

Applicant signature

3/27/2013

date



## Town of Frederick Scholarship

For the past 18 years of my life I have been pursuing my dreams. They change constantly, but I have always been motivated to fulfill them.

I would consider myself a pretty well rounded young lady. High school has been especially pleasing for me because that is where so many opportunities to become involved have come about. Over the past four years I have participated in multiple sports, clubs, and extracurricular activities. Through four years of track, two years of volleyball, and two years of cross country I have made friendships that will outlast many of my other accomplishments. Being a three sport letterman and a two time state placer in track are still accomplishments that I am very proud of. Through a year on the debate team, in which I placed fifth at the state tournament, I was introduced to other amazing people. Two big goals throughout high school have been to enjoy it and make friends. I can gladly say I've done that. Through multiple years of leading the high school newspaper I was able to laugh a lot and at the same time become involved with all types of people. The leadership skills I learned over those years as editor will stay with me forever. Through working at the recreation center as a lifeguard I have been able to earn enough money to go out on the weekends as well as to save a bit for future college expenses. Learning how to manage school, sports, everything else, and work was a challenge. Two of my favorite clubs have been National Honor Society, which I am currently president of, and Key Club, which I am currently Vice President of. These clubs have helped me to make a difference in the community, volunteer, make friends, and have given me the opportunity to work on my leadership abilities. For me high school has been filled with a lot of fun and a lot of opportunities.

Another big aspect of my high school career has been the school work. A goal of mine was to graduate as class valedictorian. I have stressed about this goal more days and nights than I would like to admit. The classroom is where I succeed the most. I don't love missing the basketball games to study for a test. I definitely don't love missing my favorite show, Dance Moms, because I have a lab report to write. However, what I truly love is being the best that I can be. I always knew I was capable of fulfilling my dream of being class valedictorian. It is in my nature to always push myself. As these last few months of school are coming to a close I finally feel truly satisfied. I have not taken one easy semester of high school. This year will end with me having taken a total of seven AP classes altogether. This is over 75% of the AP classes that Frederick currently offers. I have won multiple academic awards including Algebra II, Trigonometry/Pre-Calculus, and a medal in CP Geometry. I am also finally reaping the benefits of being number one in my class. I couldn't be happier with my performances throughout high school.

Twelve years of school and it doesn't stop. College is in my future. Although it has been a long twelve years of work and perseverance I know that only more is to come. My current dream is to graduate from the Colorado School of Mines with an engineering degree in the next four years. That is where I am committed to attend college next year. Math and science are my favorite subjects in school. In the past they have been the subjects that come fairly easy to me. It's frightening to know that these

subjects will probably be much harder next year. However, I chose the School of Mines because of this. I want more challenge. I want to come out of college ready to enter the workforce. So, with the skills I have been working on the past four years; studying, time management, and hard work, I know I can achieve my goal. I haven't been working this hard for nothing.

I know that I am an excellent candidate for this scholarship for many reasons. The main reason is that I have been working as hard as I possibly can over the past four years. I have not only worked hard in academics, but in sports, community involvement, and service as well. My transcript is enough to show that I have been committed to school these past four years. However, I have gone beyond that. I have been involved in sports, and have prospered in them. I have helped lead and been involved in multiple clubs. I have also put time into the community by coaching young girls, collecting money for the less fortunate, and much more. I would consider myself a leader when it comes to this community. Now-a-days, good grades are a dime a dozen. I hate to admit this because they have been my focus throughout high school, but it's true. To stand out you must go above and beyond. You must prove commitment through much more and I believe that I have done exactly that.



**Frederick High School**  
**5690 Tipple Parkway Frederick CO 80504**  
**Phone: 303-833-3533 Fax: 303-833-4488**

January 22, 2013

To Whom It May Concern:

It is a true pleasure to write a letter of recommendation for [REDACTED], who was a student enrolled in my Advanced Placement Biology course during the 2012 – 2013 school year. I have known and worked closely with [REDACTED] for the past year at Frederick High School. In addition to being one of my top academically performing students, [REDACTED] brings great investigational and analytical skills to the science classroom.

[REDACTED] has an excellent work ethic by paying close attention to detail, completing assignments to an advanced degree, and she expresses high levels of diligence inside and outside of the classroom. On multiple occasions I have used her work as an exemplar since it illustrated such detail, thoughtfulness, and critical thinking skills. When conducting biological laboratory investigations she shows a strong sense of inquiry and creates appropriate methods and procedures to follow which has lead to successful results. Her natural intelligence and curiosity within the sciences has made her a pleasure to have in class.

[REDACTED] is not only a successful student, but she is also personally delightful. She has a charming personality, which affords her to work well with her peers and instructors alike. [REDACTED] is also confident and assumes a leadership role when working in small as well as large groups. Her high levels of motivation drive her to success and her problem solving skills are some of the best I have ever witnessed.

I wholeheartedly recommend [REDACTED] to be considered for your esteemed scholarship. Her academic performance, trustworthiness, and citizenship will be a great asset to this platform. I cannot think of many other students I hold so highly and I can envision [REDACTED] accomplishing great feats in the near future. Please contact me if there is anything else I can do on her behalf.

Sincerely,

Corey Johnson, B.S.  
Science Instructor

**FREDERICK HIGH SCHOOL**  
*Home of the Warriors*  
5690 Tipple Parkway Frederick, CO 80504  
303-833-3533 fax 303-833-4488

PETE VARGAS, Principal

DOUG JACKSON, Assistant Principal

KRIS KEITH, Assistant Principal

10 February 2013

To Whom It May Concern:

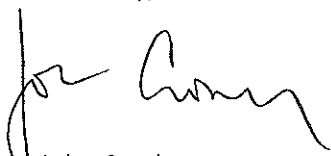
I am pleased to write this letter of recommendation on behalf of [REDACTED]. I know [REDACTED] from having been her teacher last year for Trigonometry/Pre-Calculus and currently for A.P. Calculus. I am a former engineer and understand that [REDACTED] plans to pursue engineering in college. I predict great success for her.

Although I had heard of her, I only met [REDACTED] in August of her Junior year, when she joined my Trigonometry/Pre-Calculus class. Right from the beginning, [REDACTED] operated with a degree of seriousness and focus that bordered on intensity. For 90 minutes, she was locked in. While prolonged focus is not a general strength of teenagers, a few in every class can pull it off, but those kids are rarely the really sharp ones. I suspect this largely reflects that higher-end students do not require any measurable intensity to thrive in 9<sup>th</sup> and 10<sup>th</sup> grade math, which are relatively easy for anyone above the 80<sup>th</sup> percentile of intelligence. The really smart ones learn to hover along, lock in when they sense a punch line coming, and then use raw intellect to overpower anything they may have missed. [REDACTED] stood in complete contrast to this trend: she was locked in all the time. My favorite piece of praise I get to offer is when a student was better than she had to be, sooner than she had to be. The easy and tempting route is to build one's strategy around flipping a switch and hoping to adjust on the fly. The special ones—those whose character matches their ability—leave nothing to chance and habitually give their best, simply because nothing else makes sense to them. Those are the students who hit the ground running in college, and therefore the ones on whom I will always place my largest bets.

[REDACTED] is currently in AP Calculus, and the class is difficult. For reasons not her fault, her Algebra II and Pre-Calculus classes covered less ground than usual, so her Calculus class spends more time back-filling algebra concepts than any I've taught. We spend many days in scramble mode and homework assignments often assume skills they [REDACTED] haven't perfected. When it comes time to work, however, [REDACTED] always returns a full paper. Usually it's correct, but when it is not, she will never use the excuse of unfamiliarity to give less than a full effort. If the demand is familiar, she'll probably nail it. If it's unfamiliar, she'll scratch and claw and see what she can come up with. That's the kind of student we should all want to teach. Again, it's also the type who will transition most successfully to college, where those who wait for professors to hold their hands through every concept meet an early and painful demise.

Apart from her academic strengths, [REDACTED] is a pleasure to be around. Yes, she can be quite serious, but only when seriousness is called for. When I cap my pen and we shift away from equations and graphs, she is as clever and grounded as any student I teach. She gives as well as she takes and it's always fun to be in the mix with her. It requires a degree of balance to thrive in a rigorous college program, and [REDACTED] has that. I hope you give her application your strongest consideration. Please contact me if I may speak further on her behalf.

Sincerely,



John Crosby  
Crosby\_john@svvsd.org

March 17, 2013

To Whom It May Concern,

I have had the pleasure of working with [REDACTED] for a year now. I am currently an Aquatics Supervisor at the Carbon Valley Recreation Center, where [REDACTED] works as a Lifeguard. We have many lifeguards employed but [REDACTED] stands out as one of the hardest working and most committed guards that we have.

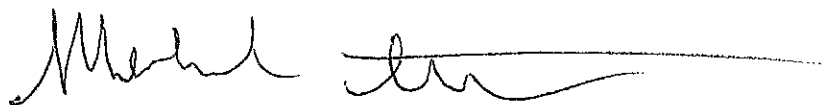
[REDACTED] has demonstrated her commitment to this job through various ways. I know I can count on [REDACTED] to help cover shifts whenever we are short on guards. She commits herself to working almost full time during the summer. Even though I know she is very busy and devoted to academics and sports, she still does manage to work often during the school year. [REDACTED] doesn't just come to work either, [REDACTED] performs. When tasks need done around the pool I can count on [REDACTED] to get it done, or to get other guards to help her get it done. In this way she has proved to be an effective leader in the workplace. These are some of her best qualities, and she has helped the recreation center so much since she began working here. She has even won multiple "Star Employee" awards.

Not only does [REDACTED] demonstrate great work ethic, she brings a great attitude to work. Stressed, tired, or just worn out [REDACTED] is always respectful and nice to other guards, the administration, and fellow patrons. [REDACTED] is the type of guard that you want to come to work when it is busy because she truly cares about others safety when she goes on stand.

[REDACTED] has shown commitment to the recreation center by also helping out outside of the pool. She recently volunteered to coach a girls volleyball team because we were in need of coaches. [REDACTED] has also volunteered at food drives that the recreation center hosts. [REDACTED] is one of the busiest guards that we have but she is still one of the most reliable and best behaved. Her ability to manage work, service, and everything else goes to show that she will be very successful in her future.

I am pleased to advocate for [REDACTED] on behalf of this scholarship. She is one of the best employees that I have had the privilege to work with at the Carbon Valley Recreation Center.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Stuvell", followed by a long horizontal line.

Michael Stuvell,  
Aquatics Supervisor  
Carbon Valley Recreation Center

Student Information				#3196 Frederick High School				Credit Summary			
Student Name: [REDACTED]				Course	Mark	Weight	Credit	0.0 High School		Attempted Earned	
Student Number: 112102 Grade: 12				2010-2011 Grade 10 Term 2				Electives		2.500	2.500
Birthdate: 08/29/1994 Gender: F				MS106 Aide Teacher	P	0.2500	0.25	Fine Arts		0.500	0.500
GPA Summary				MA120B Algebra 2B	A	0.5000	0.5	Health		0.500	0.500
Cumulative GPA (Weighted) 4.292				*SC131B Chemistry Honors B	A-	0.5000	0.5	Language Arts		4.500	4.500
Class Rank 1 of 181				*LA121B English Honors 10B	A-	0.5000	0.5	Mathematics		3.500	3.500
Cumulative GPA (Unweighted) 3.917				LA426B Newspaper B	A+	0.5000	0.5	Physical Education		1.500	1.500
#3196 Frederick High School				SS230 Social Psychology	A	0.5000	0.5	Practical Arts		0.500	0.500
Course Mark Weight Credit				WL152B Spanish 2B	A-	0.5000	0.5	Science		5.000	5.000
2009-2010 Grade 09 Term 1				*SS121B US History Honors B	A	0.5000	0.5	Social Studies		4.000	4.000
*SC121A Biology Honors A A 0.5000 0.5				Credit: 3.750 GPA: 4.214 U/W GPA: 4.000				World Languages		2.000	2.000
MA117A CP Geometry A A+ 0.5000 0.5				2011-2012 Grade 11 Term 1				Total		24.500	24.500
*LA113A English Honors 9A A- 0.5000 0.5				A104 3D Design A 0.5000 0.5				Comments			
PE101 Fitness I: Life Fitness A 0.5000 0.5				*SC520A AP Chemistry A B 0.5000 0.5				THIS IS AN UNOFFICIAL TRANSCRIPT.			
H100 Health A 0.5000 0.5				*LA500A AP Eng Lang & Comp A A- 0.5000 0.5							
LA425A Journalism A A 0.5000 0.5				*SS505A AP US Government/Politics A A- 0.5000 0.5							
WL151A Spanish 1A A 0.5000 0.5				LA426A Newspaper A A+ 0.5000 0.5							
*SS111A World Geo/Hist Honors B A 0.5000 0.5				MA127 Trigonometry A 0.5000 0.5							
Credit: 4.000 GPA: 4.062 U/W GPA: 3.875				Credit: 3.000 GPA: 4.333 U/W GPA: 3.833							
2009-2010 Grade 09 Term 2				2011-2012 Grade 11 Term 2							
*SC121B Biology Honors B A- 0.5000 0.5				*SC520B AP Chemistry B A- 0.5000 0.5							
MA117B CP Geometry B A+ 0.5000 0.5				*SC520C AP Chemistry C A+ 0.5000 0.5							
*LA113B English Honors 9B A- 0.5000 0.5				*LA500B AP Eng Lang & Comp B A- 0.5000 0.5							
CS103 Introduction to Programming A+ 0.5000 0.5				*SS505B AP US Government/Politics B B 0.5000 0.5							
PE113 Invasion & Field A 0.5000 0.5				LA426B Newspaper B A+ 0.5000 0.5							
LA426B Newspaper B A 0.5000 0.5				MA132 Pre-Calculus A 0.5000 0.5							
WL151B Spanish 1B A 0.5000 0.5				Credit: 3.000 GPA: 4.500 U/W GPA: 3.833							
*SS111B World Geo/Hist Honors B A- 0.5000 0.5				2012-2013 Grade 12 Term 1							
Credit: 4.000 GPA: 4.188 U/W GPA: 4.000				*SC510A AP Biology A A 0.5000 0.5							
2010-2011 Grade 10 Term 1				*SC510C AP Biology C A 0.5000 0.5							
MS106 Aide Teacher P 0.2500 0.25				*MA500A AP Calculus A/B A B 0.5000 0.5							
MA120A Algebra 2A A 0.5000 0.5				*LA510A AP English Literature A A- 0.5000 0.5							
*SC131A Chemistry Honors A A- 0.5000 0.5				*SS510A AP US History A A- 0.5000 0.5							
*LA121A English Honors 10A A- 0.5000 0.5				Credit: 2.500 GPA: 4.800 U/W GPA: 3.800							
PE102 Fitness II: Aerobic Fitness A+ 0.5000 0.5				#5722 Mead High School							
LA426A Newspaper A A 0.5000 0.5				Course Mark Weight Credit							
WL152A Spanish 2A A- 0.5000 0.5				2012-2013 Grade 12 Term 1							
*SS121A US History Honors A A- 0.5000 0.5				SC140A Physics A A 0.5000 0.5							
Credit: 3.750 GPA: 4.214 U/W GPA: 4.000				Credit: .500 GPA: 4.000 U/W GPA: 4.000							
				Work In Progress							
				SC510B AP Biology B 0.500							
				MA500B AP Calculus A/B B 0.500							
				LA510B AP English Literature B 0.500							
				SS510B AP US History B 0.500							
				PE101 Fitness I: Life Fitness 0.500							
				SC140B Physics B 0.500							

# The ACT<sup>®</sup> Student Report

STUDENT'S NAME: XXXXXXXXXX  
HIGH SCHOOL NAME: FREDERICK SENIOR HIGH SCHOOL  
HIGH SCHOOL CODE: 060-625

ACT ID: -29576722  
SSN: XXX-XX-7047  
TEST DATE & LOCATION: SEP 2012 NATIONAL



## Your ACT Scores

Rank: Approximate percent of ACT-tested students at or below your score

**Composite Score 27**

In Your State	In the U.S.	1%	10%	25%	50%	75%	90%	99%
88%	87%							
<b>ENGLISH</b> 27*	85%							
Usage/Mechanics 14	83%							
Rhetorical Skills 14	86%							
<b>MATHEMATICS</b> 28*	91%							
Pre-Algebra/Elem. Algebra 15	87%							
Algebra/Coord. Geometry 13	83%							
Plane Geometry/Trig. 15	95%							
<b>READING</b> 24*	71%							
Social Studies/Sciences 12	69%							
Arts/Literature 13	73%							
<b>SCIENCE</b> 27*	91%							

■ ACT® test scores and the Composite score range from 1 to 36; subscores range from 1 to 18.

■ Your Composite score is the average of your scores on the four subject area tests. Subscores do not necessarily add up to your score for a subject area test.

■ Your ranks tell you the approximate percentages of recent high school graduates in the U.S. and your state who took the ACT and received scores that are the same as or lower than yours. A rank of 70, for example, means that 70% of students received scores that are the same as or lower than your score.

■ Your test scores are only estimates, not precise measures, of your educational development. You will find more information about interpreting your scores in the booklet provided with this report and at [www.actstudent.org](http://www.actstudent.org).

**COMBINED ENGLISH/Writing** --  
Writing (score range 2 to 12) --

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The Combined English/Writing score ranges from 1 to 36 and is a combined measure of the Writing and English tests. The Writing score ranges from 2 to 12. Your ranks for these two scores are based on recent ACT-tested students who took the Writing test.

INDIVIDUAL COLLEGES DETERMINE WHETHER THEY RECOMMEND OR REQUIRE WRITING SCORES. YOU CAN CHECK ACT'S WEBSITE [WWW.ACTSTUDENT.ORG](http://WWW.ACTSTUDENT.ORG) TO FIND OUT IF ANY COLLEGES YOU ARE INTERESTED IN RECOMMEND OR REQUIRE THE WRITING TEST.

\*Your College Readiness: If your scores are at or above the following ACT benchmark scores, you will likely be ready for first-year college courses-English 18, Mathematics 22, Reading 21, Science 24.



Looking for more information about your individual strengths and test preparation?  
Go to  
[www.actstudent.org](http://www.actstudent.org).

ACT, Inc.—Confidential Restricted  
when data present.

## Your College Reports

At your direction, your scores from this test date are being reported to the colleges shown below. College planning information is provided for the first four choices you listed when you registered or tested. (Fifth and sixth choices, if any, appear just above your first choice.) Your GPA was calculated from the grades you reported. To view additional college planning information or to send additional reports, visit [www.actstudent.org](http://www.actstudent.org).

College Name and Code	What is the profile of enrolled 1st-year students at this college?			Is the program of study you prefer offered?	What are the approximate annual tuition and fees?*		What percent of 1st-year students receive financial aid based on:	
	High School Class Rank	ACT Composite Score	High School Grade Point Average		In-state	Out-of-state	Need?	Merit?
COLORADO SCH MINES 0500 GOLDEN CO 303/273-3221 <a href="http://www.mines.edu">www.mines.edu</a>	Majority in top 10%	Middle 50% between 27-31	3.80	Yes: 4-Yr. Degree	\$14,500	\$29,100	57%	54%
U OF CO-BOULDER 0532 BOULDER CO 303/492-7612 <a href="http://www.colorado.edu">www.colorado.edu</a>	Majority in top 25%	Middle 50% between 24-28	3.55	Yes: 4-Yr. Degree	\$9,200	\$30,300	44%	25%
U OF CO-COLO SPRINGS 0535 COLORADO SPRINGS CO 719/262-3380 <a href="http://www.uccs.edu">www.uccs.edu</a>	Majority in top 50%	Middle 50% between 21-25	3.26	Related Prog Avail	\$6,400	\$17,300	75%	58%
COLORADO STATE UNIV 0504 FORT COLLINS CO 970/491-7845 <a href="http://www.colostate.edu/">www.colostate.edu/</a>	Majority in top 50%	Middle 50% between 22-27	3.60	Yes: 4-Yr. Degree	\$8,000	\$23,700	50%	13%

## Your Information

Your Class Rank  
TOP 25%

Your Composite Score  
27

Your Calculated GPA  
4.00

Your Selected Major  
ENGINEERING (PRE-ENGINEERING), GEN



# TOWN OF FREDERICK

## Board of Trustees

### Action Memorandum

Jim Wollack, Mayor Pro Tem  
Rafer Burnham, Trustee  
Amy Schiers, Trustee

Tony Carey, Mayor

Laura Brown, Trustee  
Gavin Payne, Trustee  
Fred Skates, Trustee

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#### TO CONSIDER APPOINTING ROSE HENDERSON AND DYLAN DUFOUR TO THE YOUTH COMMISSION

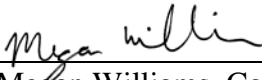
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**Agenda Date:** Town Board Meeting - April 23, 2013

**Attachments:**

- a. Application from Rose Henderson
- b. Application from Dylan Dufour

**Finance Review:** N/A  
Finance Director

**Submitted by:**   
Megan Williams, Community Relations Specialist

**Approved for Presentation:**   
Town Administrator

☐ Quasi-Judicial      ☐ Legislative      ☒ Administrative

---

#### **Summary Statement:**

The Youth Commission is currently looking for four new members to fill two vacant seats and two seats of graduating seniors. Frederick High School students Rose Henderson and Dylan Dufour, meet the requirements set forth for an appointment to the Youth Commission.

#### **Detail of Issue/Request:**

Please see above.

#### **Legal/Political Considerations:**

N/A

#### **Alternatives/Options:**

Option A: Appoint the applicant to the commission.



Option B: Do not appoint the applicant to the commission.

**Financial Considerations:**

N/A

**Staff Recommendation:**

Staff recommends appointing Rose Henderson and Dylan Dufour to the Youth Commission.



BOARD, COMMITTEE AND COMMISSION APPLICATION

APPLICATION FOR APPOINTMENT TO: Youth Advisory Commission  
(Name of Board, Committee or Commission)

Name: Dylan Dufour  
Home Address: 4900 Wren Ct., Frederick, CO  
Mailing Address: 4900 Wren Ct., Frederick CO  
EMAIL Address: Dyland@mcsanetworks.net Phone: 303.682.8912  
Occupation: Student Employer: n/a Phone: 770-331-3541  
EDUCATION: Years Completed: 10<sup>th</sup> grade College(s): n/a Degree(s): n/a  
Special Qualifications for Serving: I am in all honors classes.

Why do you desire this appointment? I want to be a part of my community and offer my services.

How much time are you able to devote to fulfill the obligation of appointment? As much time as needed

Do you presently serve on a Board or Commission for any other government entity? no

If yes, please list Board and entity: n/a

Where did you hear of this vacancy? Town of Frederick website.

We will keep your application on file for one year from the date of your application. If you are not appointed to this Board/Committee/Commission would you like us to resubmit your application for future vacancies? yes

Town of Frederick  
Board/Committee/Commission Applicants  
Conflict of Interest Disclosure

Several state laws and municipal ordinances prohibit conflicts of interest on the part of Town Boards and Commission members. A member of a Board/Committee/Commission shall not perform an official act that may have an economic benefit on a business or other undertaking (whether or not for profit) in which the member has a direct or substantial financial interest. Board/Committee/Commission members must not be interested in any contract made in their official capacities; or make by any other body, agency or board of which they are members or employees.

ALL BOARD/COMMITTEE/COMMISSION APPLICANTS

Do you have any direct or indirect financial or economic interest in any business or other undertaking (whether or not for profit) that may have business coming before the Board/Committee/Commission for which you have applied? no

If yes, please describe that interest in the space immediately below (if you need additional space, please attach additional sheets) n/a

If desired, please submit a letter of application or resume with this application

This application is subject to the Colorado Open Records Act and should not be considered confidential.

Signature: Dylan Dufour Date: April 2, 2013

Town Clerk's Office Use Only  
Application Received Date: \_\_\_\_\_



BOARD, COMMITTEE AND COMMISSION APPLICATION

APPLICATION FOR APPOINTMENT TO: Youth Commission  
(Name of Board, Committee or Commission)

Name: Rose Henderson  
Home Address: 10262 Echo Cir Firestone, Co 80504  
Mailing Address: 10262 Echo Cir Firestone, Co 80504  
EMAIL Address: Rosiegir1777@comcast.net Phone: 720-233-8569  
Occupation: Student Employer: \_\_\_\_\_ Phone: 303 949-9371  
EDUCATION: Years Completed: \_\_\_\_\_ College(s): \_\_\_\_\_ Degree(s): \_\_\_\_\_  
Special Qualifications for Serving: \_\_\_\_\_

Why do you desire this appointment? I desire this appointment because it would be good for on a transcript.

How much time are you able to devote to fulfill the obligation of appointment? All my time.

Do you presently serve on a Board or Commission for any other government entity? I don't

If yes, please list Board and entity: \_\_\_\_\_

Where did you hear of this vacancy? I heard it from my school cop

We will keep your application on file for one year from the date of your application. If you are not appointed to this Board/Committee/Commission would you like us to resubmit your application for future vacancies? yes

Town of Frederick  
Board/Committee/Commission Applicants  
Conflict of Interest Disclosure

Several state laws and municipal ordinances prohibit conflicts of interest on the part of Town Boards and Commission members. A member of a Board/Committee/Commission shall not perform an official act that may have an economic benefit on a business or other undertaking (whether or not for profit) in which the member has a direct or substantial financial interest. Board/Committee/Commission members must not be interested in any contract made in their official capacities; or make by any other body, agency or board of which they are members or employees.

ALL BOARD/COMMITTEE/COMMISSION APPLICANTS

Do you have any direct or indirect financial or economic interest in any business or other undertaking (whether or not for profit) that may have business coming before the Board/Committee/Commission for which you have applied? \_\_\_\_\_

If yes, please describe that interest in the space immediately below (if you need additional space, please attach additional sheets) \_\_\_\_\_

If desired, please submit a letter of application or resume with this application

This application is subject to the Colorado Open Records Act and should not be considered confidential.

Signature: Rose Henderson Date: 2/21/13

Town Clerk's Office Use Only  
Application Received Date: \_\_\_\_\_



# TOWN OF FREDERICK

## Board of Trustees

### Agenda Memorandum

Tony Carey, Mayor

Jim Wollack, Mayor Pro Tem  
Rafer Burnham, Trustee  
Amy Schiers, Trustee

Laura Brown, Trustee  
Gavin Payne, Trustee  
Fred Skates, Trustee

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#### To Consider the Appointment of a Parks and Open Space Commissioner

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**Agenda Date:** April 23, 2013

**Attachments:** a. Application from William (Joe) Pilon

**Finance Review:** \_\_\_\_\_  
\_\_\_\_\_  
Finance Director

**Submitted by:** *Jim Wollack*  
Planning Director

**Approved for Presentation:** *Matthew Skates*  
Town Manager

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#### **Summary Statement:**

There is currently one vacant position of the Parks and Open Space Commission. Appointment of this applicant would fill the vacant position.

#### **Detail of Issue/Request:**

The Municipal Code allows seven citizens to serve on the Parks and Open Space Commission. Currently, six citizens are serving on the Commission. An application has been received from a current citizen (attached).

The responsibilities of the Commission include advising the Board of Trustees on all matters relating to acquisition, care, use, management, control and planning of all Town-owned parks and open space; advising the Board regarding the preparation and maintenance of a long-range parks and open space acquisition, care and maintenance plan; and making recommendations to the Board regarding parks and open space-related budget items.

#### **Legal/Political Considerations:**

Not applicable.

**Alternatives/Options:**

The Board of Trustees may choose whether or not to appoint the applicant to serve on the Commission.

**Financial Considerations:**

Not applicable.

**Staff Recommendation:**

Staff recommends appointment of Mr. Pilon to serve on the Commission.



BOARD, COMMITTEE AND COMMISSION APPLICATION

APPLICATION FOR APPOINTMENT TO: Parks and open space  
(Name of Board, Committee or Commission)

Name: William J. (Joe) Pilon

Home Address: 6370 Hollyhock GRN

Mailing Address: Frederick, CO 80530

EMAIL Address: PILONJS@gmail.com Phone: \_\_\_\_\_

Occupation: Maint. MGR / part time Employer: Huffman Labs Phone: 303-278-4455

EDUCATION: Years Completed: 12 College(s): \_\_\_\_\_ Degree(s): \_\_\_\_\_

Special Qualifications for Serving: I have been in my working career responsible for

grounds upkeep & landscape contractor oversight

Why do you desire this appointment? I am very concerned about preserving land for

parks & open space in a growing community. I would like to serve my community.

How much time are you able to devote to fulfill the obligation of appointment? as much as necessary (retired)

Do you presently serve on a Board or Commission for any other government entity? No

If yes, please list Board and entity: \_\_\_\_\_

Where did you hear of this vacancy: Online

We will keep your application on file for one year from the date of your application. If you are not appointed to this

Board/Committee/Commission would you like us to resubmit your application for future vacancies? yes

Town of Frederick  
Board/Committee/Commission Applicants  
Conflict of Interest Disclosure

Several state laws and municipal ordinances prohibit conflicts of interest on the part of Town Boards and Commission members. A member of a Board/Committee/Commission shall not perform an official act that may have an economic benefit on a business or other undertaking (whether or not for profit) in which the member has a direct or substantial financial interest. Board/Committee/Commission members must not be interested in any contract made in their official capacities; or make by any other body, agency or board of which they are members or employees.

ALL BOARD/COMMITTEE/COMMISSION APPLICANTS

Do you have any direct or indirect financial or economic interest in any business or other undertaking (whether or not for profit) that may have business coming before the Board/Committee/Commission for which you have applied? No

If yes, please describe that interest in the space immediately below (if you need additional space, please attach additional sheets)

If desired, please submit a letter of application or resume with this application

This application is subject to the Colorado Open Records Act and should not be considered confidential.

Signature: William J. Pilon Date: 3/30/2013

Town Clerk's Office Use Only  
Application Received Date: \_\_\_\_\_



# TOWN OF FREDERICK

## Board of Trustees

### Information Memorandum

Jim Wollack, Mayor Pro Tem  
Rafer Burnham, Trustee  
Amy Schiers, Trustee

Tony Carey, Mayor

Laura Brown, Trustee  
Gavin Payne, Trustee  
Fred Skates, Trustee

#### Consideration of Chickens in Residential Zones

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**Agenda Date:** April 23, 2013

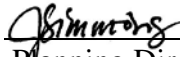
**Attachments:** a. Community Comments

**Issue/Request:**

The Board of Trustees requested citizen input on allowing chickens within the Town.

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**Submitted by:**

  
Planning Director

**Approved for Presentation:**

  
Town Manager

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**Detail of Issue/Request:**

At the February 19, 2013 Board of Trustees of Trustees meeting, information related to allowing chickens in residential zones was presented. The Trustees then asked for feedback from citizens.

Citizens were asked for their opinions on the Town's Facebook page as well as in the March newsletter. The responses (see attached) were generally in support of the concept.

The following elements are proposed to be included in draft regulations to allow backyard chickens.

Element	Regulation	
Definition of chicken	Backyard chicken	
Where will chickens be allowed?	In residential zones R-E, R-1, and R-2 where detached single family homes are permitted. Chickens will not be permitted in common areas of a multi-unit, multi-use, or multifamily property.	
Number of chickens allowed per dwelling	Maximum of 6	
Roosters	Roosters will be prohibited.	

Prohibition on other types of fowl/poultry	This regulation would allow chickens (hens) only.	
Will a coop be required?	A coop will be required.	
Coop requirements:		
• Location of coop	The coop must be in the rear or backyard of the property.	
• Setback from rear and side property lines	5'	
• Predator resistant	The coop will be required to be predator resistant with a solid covered roof.	
• Chicken run	A chicken run is required and must contain a minimum of 4 square feet per chicken and maximum of 100 square feet.	
• Coop size	The coop must contain a minimum of 4 square feet per chicken and a maximum of 100 square feet.	
• Maximum height	The maximum coop height is 7'.	
Prohibition of on-site slaughtering	No on-site slaughtering is allowed.	
Storage of waste	Chicken waste shall only be stored in a resealable, airtight, predator-proof container.	
Storage of feed	Chicken feed shall be stored in a resealable, airtight, predator-proof container.	
Acknowledgement of potential homeowner association regulations	Encourage residents to research their individual homeowner association regulations.	

One final item to address is whether or not to include a permit/license. Many communities require a one-time permit or license to be issued. Fees may or may not be associated with the license. In Longmont, about 160 permits have been issued since the beginning of the program. Each year, about a dozen additional permits are issued, typically in the spring when chickens are available at the farm/ranch stores. The purpose of the permit is to ensure that residents know the regulations related to having chickens. The permit is also a tool used by Code Enforcement to educate residents who may have had complaints placed against them. It would be useful to have specific direction from the Trustees on this element of the regulations.

### **Legal/Political Considerations:**

This is a local decision that the Trustees are able to determine.

### **Alternatives/Options:**

The Trustees can direct staff whether or not to move forward with the proposed regulations.

### **Financial Considerations:**

Not Applicable.

### **Staff Recommendation:**

Staff recommends the regulations as drafted with a one-time permit/license.



## Chickens in Frederick

Yes	No	Add'l Comments & For Your Entertainment
	1	The back/side yards of homes in the 200-300 blocks of Maple Dr. and Walnut already resemble a third world housing project. Code Enforcement does not handle junk veh's.- weeds- or other assorted trash now let alone handle chickens and chicken coops.
	1	draw flies, Complaints would cost too much to be investigated, those not complying would end up in court costing us even more money.
1		
	1	We have areas in town that already look like something on "Here Comes Honey Boo Boo" the last thing we need is another situation that won't be monitored.
1		
	1	There are enough neglected animals.
	1	There will be people wanting to sell eggs door to door.
1		I think that the city of Seattle has a great model which we could emulate: Here is an illuminating research paper on the topic:
1		
1		
1		It's good to see the Town of Frederick moving in the right direction in promoting a healthier lifestyle.
1		
1		
1		
1		I think there needs to be a limit to how many chickens per household
1		
	1	We moved to Frederick to downsize into a small peaceful town where we could plan for our future retirement, and would hate to think we made this town we call home, a big mistake.
1		There should be standards of cleanliness and containment, particular in neighborhood settings
1		
1		
	1	I feel that residential settings do not provide 1) enough space and 2) would draw in unwanted predators. I also feel chickens would create unwanted noise that is impossible to control.
	1	If a person want to raise farm animals, then they should move to a farm.
	1	People do not take care of their dogs so adding another noisy stinky creature is crazy. Want chicken or eggs, go to the store.
1		
	1	
1		
	1	Wants to attend a board meeting to voice his concerns.
	1	
1		
	1	Too small backyards. Hear phones ringing chickens would only add to the noise.
	1	If chickens are allowed, what's next? Pigs, cows. goats, sheep, ducks, geese?
1		
1		

[illegible]

[illegible]



# TOWN OF FREDERICK

## Board of Trustees

### Action Memorandum

Jim Wollack, Mayor Pro Tem  
Rafer Burnham, Trustee  
Amy Schiers, Trustee

Tony Carey, Mayor

Laura Brown, Trustee  
Gavin Payne, Trustee  
Fred Skates, Trustee

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#### DISCUSSION OF PROJECTED 2013 WATER SUPPLY FOR FREDERICK AND POTENTIAL NEED FOR WATER RESTRICTIONS

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**Agenda Date:** Town Board Meeting - April 23, 2013

**Attachments:**

- a. Section 13-80 and 13-81 of the Municipal Code
- b. Water Contingency Plan

**Finance Review:** No cash outlay. See additional comments below.

\_\_\_\_\_  
Finance Director

**Submitted by:** Richard Leffler, P.E.  
Engineering & Utilities Director

**Approved for Presentation:**   
Town Manager

☐ Quasi-Judicial

☒ Legislative

☐ Administrative

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#### **Summary Statement:**

As requested by the Board, staff will present information related to the 2013 water supply situation and discuss options for continuing voluntary water restrictions or the imposition of mandatory watering restrictions as set forth in Section 13-81 of the Municipal Code.

#### **Detail of Issue/Request:**

At their April 12, 2013 meeting, the Northern Water Board approved a 60% quota for Colorado-Big Thompson Water (CBT) deliveries. This quota, along with CBT carryover from 2012, results in a total of about 2,900 acre feet of CBT water being available to the Town. The Town's potable water usage in 2012 required that 2,273 acre feet of water be transferred to Central Weld County Water District for treatment and delivery to the Town. It is estimated that the Town's 2013 demands would require about 2,500 acre feet be transferred to CWCWD. Consequently, we are estimating about 400 acre feet or

roughly 130 million gallons of anticipated reserve. The Town of Frederick has an adopted Water Shortage Contingency Plan which has been attached with this memo to facilitate the discussion.

**Legal/Political Considerations:**

The region is still in a drought condition in spite of the recent heavy snowfall.

**Alternatives/Options:**

The Town continues to support water conservation measures and has options for education or mandatory restrictions.

**Financial Considerations:**

The Town has adopted aggressive increasing block rate structures to encourage water conservation. Reduced water usage would impact revenues available for operations.

**Staff Recommendation:**

Staff requests direction from the Board related to promotion of conservation measures and/or potential watering restrictions.

**13-80 Waste of water.**

As a condition of receiving water service from the Town, the applicant must agree to cooperate with the Town to prevent the waste of water. The owner of any water-using unit or water-using property who flagrantly and/or repeatedly violates the intent of this Article shall be subject to the penalties prescribed in Chapter 1 of this Code. (Ord. 153 Art. 17, 1976)

**13-81 Watering restrictions under Water Shortage Contingency Plan.**

The Town has adopted a Water Shortage Contingency Plan to deal with critical water supply shortages or other emergency water supply conditions deemed to constitute an emergency affecting the health, safety and welfare of residents of the Town. The following mandatory water use restrictions are hereby established. The Board of Trustees may suspend or impose the following mandatory water use restrictions at any time by motion:

(1) Irrigation of landscaped areas with hose-end sprinklers or automatic irrigation systems shall be limited to Sunday, Tuesday and Thursday for all customers with even-numbered addresses and to Monday, Wednesday, and Saturday for all customers with odd-numbered street addresses. Irrigation of landscaped areas is further limited to the hours between 12:00 a.m. and 10:00 a.m. and the hours between 6:00 p.m. and 11:30 p.m. on designated watering days.

(2) Persons irrigating with raw water or well water are exempt from the watering restrictions but are required to post a clearly visible sign on their property stating that their irrigation water source is raw water or well water.

(3) Use of water for the irrigation of new lawns may be allowed under a special permit from the Town for a period of time not to exceed six (6) weeks. The cost of the permit shall be twenty dollars (\$20.00), and the permit shall be conspicuously posted and maintained on the property. Irrigation of new lawns is limited to the hours between 12:00 a.m. and 10:00 a.m., and the hours between 6:00 p.m. and 11:30 p.m.

(4) Persons or entities may not use water for construction or anything relating thereto without first obtaining written approval of the Town Engineer or his or her designee. (Ord. 153, Art. 18, 1976; Ord. 308, 1989; Ord. 434, § 1, 1996; Ord. 667, § 1, 2002; Ord. 680, § 1, 2003; Ord. 697, § 1, 2003; Ord. 710, § 1, 2003; Ord. 790, § 1, 2005)

# **WATER SHORTAGE CONTINGENCY PLAN**

## **Town of Frederick Municipal Water System**

**August 9, 2002  
Revised October 10, 2002**

# **WATER SHORTAGE CONTINGENCY PLAN**

## **TOWN OF FREDERICK MUNICIPAL WATER SYSTEMS**

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# **WATER SHORTAGE CONTINGENCY PLAN**

## **TOWN OF FREDERICK MUNICIPAL WATER SYSTEMS**

**August 9, 2002**

### **Section 1. Declaration of Policy, Purpose, and Intent.**

In order to conserve the available water supply and protect the integrity of water supply facilities, with particular regard for domestic water use, sanitation, and fire protection, and to protect and preserve public health, welfare, and safety and minimize the adverse impacts of water supply shortage or other water supply emergency conditions, the Town of Frederick (the Town) hereby adopts the following regulations and restrictions on the delivery and consumption of water.

Water uses regulated or prohibited under this Water Shortage Contingency Plan (the Plan) are considered to be nonessential. Continuation of such uses during times of water shortage or other emergency water supply condition are deemed to constitute a waste of water which subjects the offender(s) to penalties as defined in this Plan.

The goal of this Plan Is to ensure an adequate supply of water for the customers of the Town. The Plan includes measures that will both reduce water demand by the customers and increase the raw water supply available for transfer to the Central Weld County Water District for treatment.

Water rate adjustments at Stage 3 and beyond shall be based on a percentage of winter use. This measure will allow the Town to relieve some of the budget Impacts of reduced water consumption and encourage customers to conserve. Commercial customers who rely on a year-round steady supply of water and are consistent users shall not be severely Impacted by the water rate adjustments. Residential customers shall not be adversely impacted by the rate adjustments for essential household uses. Residential customers who use excessive amounts of water to maintain large landscapes will be affected by the rate adjustments.

### **Section 2. Customer Education.**

The Town will periodically provide the customers with information about the Plan, including information about the conditions under which each stage of the Plan is to be initiated or terminated and the water shortage response measures to be implemented in each stage. This Information will be provided by means of quarterly and/or monthly newsletters, billing inserts, door hangers, posted public notice when appropriate, and press releases.

### **Section 3. Notification to Central Weld County Water District.**

A copy of this Water Shortage Contingency Plan has been provided to the Central Weld County Water District. Written notice will be provided to the Central Weld County Water District whenever the Town initiates and/or terminates various stages of this Plan.

### **Section 4. Administrative Authorization.**

The Town Board's designee is hereby authorized and directed to implement the applicable provisions of this Plan upon determination that such implementation is necessary to conserve water during times of shortage while still protecting the public health, safety, and welfare. The Town Board's designee shall have the authority to initiate or terminate water shortage or other water supply emergency response measures as described in this Plan. The Town Board's designee shall immediately inform the Board of Trustees of any changes in Stages of the Plan.

### **Section 5. Application.**

The provisions of this Plan shall apply to all persons and property utilizing water provided by the Town. The terms "person" and "customer" as used in the Plan include individuals, corporations, partnerships, associations, and all other legal entities.

Water service provided by master meter for contractual purposes may be subject to this Plan following coordination with the contract holder.

### **Section 6. Definitions.**

For the purposes of this Plan, the following definitions shall apply:

- a. **Aesthetic water use** - water use for ornamental or decorative purposes such as fountains, reflecting pools, and water gardens.
- b. **Beneficial use** - water uses that are essential or required for the protection of public, health, safety, and welfare, including domestic water use.
- c. **Conservation** - those practices, techniques, and technologies that reduce the consumption of water, reduce the loss or waste of water, improve the efficiency in the use of water or increase the recycling and reuse of water so that a supply is conserved and made available for future or alternative uses.
- d. **Customer** - individuals, corporations, partnerships, associations, and all other legal entities using water supplied by the Town.
- e. **CWCWD** - Central Weld County Water District – the source of the Town's potable domestic water supply. CWCWD treats the Town's raw water supply at

its Carter Lake Filter Plant and it delivers the treated water to the Town through its transmission mains to master meters on the Town's distribution system.

- f. **Domestic water use** - water use for personal needs or for household or sanitary purposes such as drinking, bathing, heating, cooking, sanitation, or for cleaning a residence, business, industry, or institution.
- g. **Even number address** - street addresses, box numbers, or rural postal route numbers ending in 0, 2, 4, 6, or 8 and locations without addresses.
- h. **Landscape irrigation use** - water used for the irrigation and maintenance of landscaped areas, whether publicly or privately owned, including residential and commercial lawns, gardens, golf courses, parks, and rights-of-way and medians.
- i. **Master meters** - customers who purchase water from the Town through a master meter and redistribute the water to others through a private distribution system.
- j. **MGD** - million gallons per day.
- k. **NCWCD** - Northern Colorado Water Conservancy District - manages the majority of the Town's raw water supply.
- l. **Non-essential water use** - water uses that are not essential nor required for the protection of public, health, safety, and welfare, including:
  - i. Irrigation of landscape areas, including parks, athletic fields, and golf courses, except otherwise provided under this Plan;
  - ii. Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other equipment or vehicle;
  - iii. Use of water to wash down any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
  - iv. Use of water to wash down buildings or structures for purposes other than immediate fire protection or hazardous substance remediation;
  - v. Flushing gutters or permitting water to run or accumulate in any gutter or street;
  - vi. Use of water to fill, refill, or add to any indoor or outdoor swimming pools or Jacuzzi-type pools;
  - vii. Use of water in a fountain or pond for aesthetic or scenic purposes except where necessary to support aquatic life;

- viii. Failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s); and
- ix. Use of water from hydrants for construction purposes or any other purposes other than fire fighting.
- m. **Odd number address** - street addresses, box numbers, or rural postal route numbers ending in 1, 3, 5, 7, or 9.
- n. **Water shortage rates** - water rates that are fair to the largest number of customers possible, and that are based on a percentage of average monthly winter usage are the most equitable way to encourage customers to conserve water and to recover lost revenue. Customers who use approximately the same amount of water year-round will be minimally affected by the water shortage rates.
- o. **Water year** - November 1 through October 31.
- p. **Winter average usage** - the average metered water use during the previous year's months of January, February and March (winter base period). Winter average use for new customers or customers who have not occupied the premises during the entire previous winter base period shall be assigned the winter average use for similar classes of users during the most recent winter base period.

## **Section 7. Criteria for Initiation and Termination of Water Shortage Response Stages.**

The Town Board upon notification by the Central Weld County Water District of changes in water conditions, shall initiate or terminate each stage of the Plan in coordination with the Central Weld County Water District. That is, when the District initiates a specific Water Shortage Response Stage, the Town Board shall initiate or terminate the same response stage for the Town.

## **Section 8. Water Shortage Stages and Responses.**

There are five (5) stages of water shortage conditions detailed in this Plan. The criteria to be used to determine the severity of the water shortage are presented as well as the responses that the Town will require from itself and the customers at each stage.

- a. **Stage 1 - MILD Water Shortage Conditions.**
  - i. Goal - Achieve a voluntary 10% reduction in total water use or daily water demand.
  - ii. Supply Management Measures - The Town shall:

- (1) Limit operational flushing of fire hydrants and dead end water lines except to maintain system water quality.
  - (2) Evaluate NCWCD carryover options.
  - (3) Repair all leaks promptly and investigate all reports of leaks promptly.
- iii. Demand Management Measures - The Town shall send notification (by post card, letter or newsletter) to all customers of the water shortage stage by May 15, or as needed.
- iv. Voluntary water use restrictions:
  - (1) Customers are requested to voluntarily limit the irrigation of landscaped areas to Sundays and Thursday for customers with an even number street address, and Saturdays and Wednesdays for customers with an odd number street address. Irrigation of landscaped areas is further limited to the hours of 12:00 midnight until 10:00 A.M. and between 8:00 P.M. and 12:00 midnight on designated watering days
  - (2) Customers are requested to practice water conservation and to minimize or discontinue water use for nonessential purposes as defined in Section 6 herein.

**b. Stage 2 - MODERATE Water Shortage Conditions.**

- i. Goal - Achieve a minimum of 20% reduction in total water use or daily water demand.
- ii. Supply Management Measures - The Town shall:
  - (1) No operational flushing of fire hydrants and dead end water lines except to maintain public health.
  - (2) Repair all leaks immediately and investigate all reports of leaks immediately.
  - (3) Evaluate budget Impacts of water shortage and implement any necessary water rate increase to offset budget Impacts of the water shortage conditions.
  - (4) Evaluate and implement as determined by the Town Board:

- (a) Renting additional CBT throughout the year.
- (b) Exchanges of native water for CBT throughout the year.
- (c) Operational benefits and costs of utilizing tie-ins to surrounding water systems.
- (d) Utilize existing employees to monitor customer compliance with water restrictions.

iii. Demand Management Measures:

- (1) The Town shall provide monthly updates to all customers of water shortage stage.
- (2) The Town shall provide additional public notice by press releases to local newspapers.
- (3) Customer usage surcharge for non-compliance shall be imposed administratively:
  - (a) First offense - a written warning.
  - (b) Second offense - a \$25.00 surcharge.
  - (c) Third offense - a \$50.00 surcharge.
  - (d) Fourth and subsequent offenses - a \$100.00 surcharge and the installation of a flow restrictor on the customer's meter.

iv. Mandatory Water Use Restrictions - the following mandatory water use restrictions shall apply to all persons:

- (1) Irrigation of landscaped areas with hose-end sprinklers or automatic irrigation systems shall be limited to Sundays and Thursdays for customers with an even number street address, and Saturdays and Wednesdays for customers with an odd number street address. Irrigation of landscaped areas is further limited to the hours of 12:00 midnight until 10:00 A.M. and between 8:00 P.M. and 12:00 midnight on designated watering days. However, irrigation of landscaped areas is permitted at anytime if it is by means of a hand-held hose, a faucet-filled bucket or watering can of five gallons or less, or a drip irrigation system. Athletic fields are exempted from this restriction.

- (2) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is prohibited except on designated watering days between the hours of 12:00 midnight and 10:00 A.M. and between 8:00 P.M. and 12:00 midnight. Such washing, when allowed, shall be done with a hand-held bucket or a hand-held hose equipped with a positive shutoff nozzle for quick rinses. Vehicle washing may be done at any time on the immediate premises of a commercial car wash or commercial service station. Further, such washing may be exempted from these regulations if the health, safety, and welfare of the public are contingent upon frequent vehicle cleansing, such as garbage trucks and vehicles used to transport food and perishables.
- (3) Use of water to fill, refill, or add to any indoor or outdoor swimming pools, wading pools, ornamental fountains and ponds, or Jacuzzi-type pools is prohibited except on designated watering days between the hours of 12:00 midnight and 10:00 A.M. and between 8:00 P.M. and 12:00 midnight.
- (4) Use of water from hydrants shall be limited to fire fighting, related activities, or other activities necessary to maintain public health, safety, and welfare.
- (5) Use of potable water for construction purposes within the Town shall be subject to the bulk water sales provisions of Section 13-74 (c) of the Frederick Municipal Code.
- (6) Use of water for the irrigation of new lawns may be allowed under a special permit from the Town for a period of time not to exceed six weeks. The cost of the permit shall be \$20.00 and the permit shall be conspicuously posted and maintained on the property. Irrigation of new lawns is limited to the hours of 12:00 midnight until 10:00 A.M., and between 8:00 P.M. and 12:00 midnight.
- (7) Use of water for the irrigation of golf course greens, tees, and fairways is prohibited except on designated watering days between the hours 12:00 midnight and 10:00 A.M. and between 8:00 P.M. and 12:00 midnight. However, if the golf course utilizes a water source other than that provided by the Town, the facility shall not be subject to these regulations.
- (8) The following uses of water are defined as nonessential and are prohibited;
  - (a) Wash down of any sidewalks, walkways, driveways,

parking lots, tennis courts, or other hard-surfaced areas;

- (b) Use of water to wash down buildings or structures for purposes other than immediate fire protection;
- (c) Flushing street gutters or permitting water to run or accumulate in any gutter or street; and
- (d) Failures to repair a controllable leak(s) within a reasonable period after having been given notice by the Town directing the repair of such leak(s).

c. **Stage 3 - SEVERE Water Shortage Conditions.**

- i. Goal - Achieve a minimum of 20% reduction in total water use or daily water demand.
- ii. Supply Management Measures - All requirements of Stage 2 shall remain in effect during Stage 3, except the town shall:
  - (1) Rent additional CBT as required.
  - (2) Sell water taps only with CBT transferred to the Town.
- iii. Demand Management Measures - All requirements of Stage 2 shall remain in effect during Stage 3.
  - (1) The Town shall implement new rate structure during critical summer months based on a percentage of winter use.
  - (2) The Town shall provide customer notice by door hanging all customers and providing press releases to local newspapers and radio stations.
  - (3) The Town shall post notices in public buildings:
    - (a) Front doors of all commercial buildings where allowed;
    - (b) All public restrooms;
    - (c) Schools and other public buildings – public notice boards; flyers sent home with kids.
  - (4) Customer usage surcharge for non-compliance shall be imposed administratively;



- (a) First offense - a written warning.
- (b) Second offense - a \$50.00 surcharge.
- (c) Third offense - a \$100.00 surcharge.
- (d) Fourth and subsequent offenses - a \$200.00 surcharge and the installation of a flow restrictor on the customer's meter.

iv. **Mandatory Water Use Restrictions - All requirements of Stage 2 shall remain in effect during Stage 3 except:**

- (1) Irrigation of landscaped areas shall be limited to designated watering days between the hours of 12:00 midnight until 10:00 A.M. and between 8:00 P.M. and 12:00 midnight by means of a hand-held hose, hand-held buckets, drip irrigation, or hose-end sprinklers only. The use of permanently installed automatic sprinkler systems is prohibited at all times. Athletic fields are exempted from this restriction.
- (2) The watering of golf course tees is prohibited, unless the golf course utilizes a water source other than that provided by the Town.
- (3) Use of potable water for construction purposes within the Town shall be subject to the bulk water sales provisions of Section 13-74 (c) of the Frederick Municipal Code.
- (4) The use of potable water for irrigation of new lawns (sod or seeded) during the months of June, July and August is restricted to the designated watering days, hours and methods allowed for the irrigation of landscaped areas under Section 13-81 (c) (I), above. The use of water for the irrigation of new lawns may be allowed under a special permit from the Town for a period of time not to exceed six weeks, from September 1 through May 1. The cost of the permit shall be \$20.00 and the permit shall be conspicuously posted and maintained on the property. Irrigation of new lawns is limited to the hours of 12:00 midnight until 10:00 A.M., and between 8:00 P.M. and 12:00 midnight.
- (5) All restaurants are prohibited from serving water to patrons except upon request of the patron.

d. **Stage 4 - CRITICAL Water Shortage Conditions.**

- i. Goal - Achieve a minimum of 30% reduction in total water use or daily water demand.
- ii. Supply Management Measures - All requirements of Stage 3 shall remain in effect during Stage 4 except the Town shall;
  - (1) Sell water taps only with CBT transferred in time to be available during the water year.
  - (2) Accept CBT transferred water to increase quota for individual customers.
  - (3) Perform water audits on all  $\frac{3}{4}$ " and larger taps and the top 20% of  $\frac{5}{8}$ " taps.
- iii. Demand Management Measures - All requirements of Stage 3 shall remain in effect during Stage 4; and
  - (1) The Town shall implement a new rate structure based on 100% percent of winter use.
  - (2) The Town shall provide additional public notices by press releases to local television stations.
  - (3) The Town shall post notices in public buildings:
    - (a) All motel and hotel rooms;
    - (b) At every table in restaurants.
- iv. Mandatory Water Use Restrictions - All requirements of Stage 2 and 3 shall remain in effect during Stage 4 except:
  - (1) Irrigation of landscaped areas shall be limited to designated watering days between the hours of the 6:00 A.M. and 8:00 A.M. and between 8:00 P.M. and 10:00 P.M. by means of a hand-held hose, hand-held buckets, or drip irrigation only. The use of hose-end sprinklers or permanently installed automatic sprinkler systems are prohibited at all times. Athletic fields are exempted from this restriction.
  - (2) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle not occurring on the premises of a commercial car wash or commercial service station and not in the

immediate interest of public health, safety, and welfare is prohibited. Further, such vehicle washing in a commercial car wash or commercial service station shall occur only between the hours of 6:00 A.M. and 10:00 A.M. and between 6:00 P.M. and 10:00 P.M..

- (3) The filling, refilling, or adding of water to any indoor or outdoor swimming pools, wading pools, or Jacuzzi-type pools is prohibited.
- (4) Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life or where such fountains or ponds are equipped with a re-circulation system.
- (5) Special permits issued by the Town for the irrigation of new lawns shall be suspended during a Stage 4 water shortage.
- (6) Customer usage surcharge for non-compliance shall be imposed administratively:
  - (a) First offense - a written warning.
  - (b) Second offense - a \$250.00 surcharge.
  - (c) Third offense - a \$500.00 surcharge.
  - (d) Fourth and subsequent offense - a \$500.00 surcharge and the installation of a flow restrictor on the customer's meter.

e. **Stage 5 - EMERGENCY Water Shortage Conditions.**

- i. Goal - Achieve a minimum of 35% reduction in total water use or daily water demand.
- ii. Supply Management Measures - All requirements of Stage 4 shall remain in effect during Stage 5 except the Town shall:
  - (1) Sell no new water taps while in Stage 5.
  - (2) Pursue emergency temporary use permit for other waters with NCWCD and the State Engineer.
- iii. Demand Management Measures - All requirements of Stage 4 shall remain in effect during Stage 5.

- (1) The Town shall implement a new rate structure based on 80% percent of winter use.
  - (2) Customer usage surcharge for non-compliance shall be imposed administratively:
    - (a) First offense - a \$250.00 surcharge.
    - (b) Second and subsequent offenses - a \$500.00 surcharge and the installation of a flow restrictor on the customer's meter.
- iv. **Mandatory Water Use Restrictions:** All requirements of Stage 2, 3, and 4 shall remain in effect during Stage 5 except:
- (1) Irrigation of landscaped areas is prohibited.
  - (2) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is absolutely prohibited.
  - (3) The use of potable water for construction purposes shall be discontinued.
  - (4) No application for new, additional, expanded, or increased-in-size water service connections, meters, service lines, pipeline extensions, mains, or water service facilities of any kind shall be approved, and time limits for approval of such applications shall be suspended for such time as this water shortage response stage shall be in effect.

## **Section 9. Enforcement of Watering Restrictions Under Water Shortage Contingency Plan.**

The Town Board, or the Board's designee, may issue warnings, assess surcharges, install water restrictors, or discontinue water service for customers who fail to observe water use restrictions during the various stages of a water shortage. At increasingly critical stages of water shortage, compliance with the water use restrictions becomes more critical and it is necessary to have measures in place to force compliance. In addition to those penalties imposed upon conviction of a noncriminal violation of the Frederick Municipal Code by Section 1-72, surcharges may be imposed for the violation of the mandatory water use restrictions during a Stage 2, 3, 4, or 5 Water Shortage Restriction. Surcharges shall be imposed by the Town as a onetime charge on the customer's monthly water user fee for the month in which the non-compliance occurred. Multiple surcharges may be imposed during any single month for multiple violations.

**Section 10. Appeal of Surcharge for Excessive Water Use Under the Water Shortage Contingency Plan or for a Violation of Mandatory Restrictions.**

A water customer aggrieved by any surcharge placed on his water user fee as a result of excessive use of water under the Water Shortage Contingency Plan, or for a violation of the mandatory restrictions of Section 13- 81 of the *Frederick Municipal Code*, may appeal, in writing, to the Town Board within fifteen (15) days of the issuance of the bill. The Town Board may sustain the appeal, dismiss the appeal or modify the user surcharge charge owed and shall decide the appeal within ten (10) working days of its receipt. Notification of the decision shall be in writing and delivered personally or by first-class mail.

**Section 11. Exemption.**

The Town Board of Trustees may, after a public hearing, grant a temporary exemption for existing water uses otherwise prohibited under this Plan

- a. Exemption application. Persons requesting an exemption from the provisions of this Plan shall file a petition for an exemption with the Town within five days after the Plan or a particular water shortage response stage has been invoked. All petitions for exemptions shall be reviewed by the Board of Trustees, and shall include the following:
  - i. The name and address of the petitioner(s).
  - ii. Purpose of water use.
  - iii. Specific provision(s) of the Plan from which the petitioner is requesting relief.
  - iv. Detailed statement as to how the specific provision of the Plan adversely affects the petitioner or what damage or harm will occur to the petitioner or others if petitioner complies with this Plan.
  - v. Description of the relief requested.
  - vi. Period of time for which the exemption is sought.
  - vii. Alternative water use restrictions or other measures the petitioner is taking or proposes to take to meet the intent of this Plan and the compliance date.
  - viii. Other pertinent information.
- b. Criteria for Approval.
  - i. If it is determined, based on testimony given, that failure to grant such

exemption would cause an emergency condition adversely affecting the health, sanitation, or fire protection for the public or the person requesting such exemption, and;

- ii. Compliance with this Plan cannot be technically accomplished during the duration of the water supply shortage or other condition for which the Plan is in effect, or;
  - iii. Alternative methods can be implemented which will achieve the same level of reduction in water use or increase raw water supply.
- c. Exemptions granted shall expire when the Plan is no longer in effect and/or when the petitioner has failed to meet the specified requirements.
  - d. Exemptions shall be subject to review at any time when the Town moves to a higher Stage of this Plan.
  - e. Exemptions granted shall include a timetable for compliance.
  - f. No exemption shall be retroactive or otherwise justify any violation of this Plan occurring prior to the issuance of the exemption.

## **Section 12. Notification of the Customers and Public.**

The Town Board, or the Board's designee upon notification by the District of the initiation of a Water Shortage Stage shall implement the following notification procedures as may be appropriate:

- a. Notification of the Customers and Public: The Town Board or the Board's designee shall notify the customers and public by means of:
  - i. Direct mail to each customer (monthly update, all stages).
  - ii. Bill stuffer (all stages).
  - iii. Press releases to local newspapers (start at Stage 2).
  - iv. Door hanger each customer (start at Stage 3).
  - v. Public service announcements - radio (start at Stage 3).
  - vi. Signs posted in public places - front doors and other areas (start at Stage 3).
  - vii. Take-home fliers at schools (start at Stage 3).

- viii. Public service announcements-television (start at Stage 4).
- ix. Signs posted in public places - all public restrooms, hotel rooms, each table at restaurants (start at Stage 4).
- b. Additional Notification.
  - i. Master meter customers:
    - (1) Prairie Greens Subdivision.
  - ii. Fire Chiefs of all Fire Districts providing fire protection in the Town's water service area.
  - iii. St. Vrain Valley School District.
  - iv. Weld County Emergency Management Coordinators.
  - v. Weld County sheriff and other local law enforcement.
  - vi. Weld County Commissioners.
  - vii. Other Regional Water Providers & Affected Utilities.
  - viii. Northern Colorado Water Conservancy District.
  - ix. St. Vrain Sanitation District.
  - x. Tri-Area Sanitation District.
  - xi. Select water users (dairies and feedlots).
  - xii. State of Colorado-Colorado Water Conservation Board.



# TOWN OF FREDERICK

## Board of Trustees

### Action Memorandum

Jim Wollack, Mayor Pro Tem  
Rafer Burnham, Trustee  
Amy Schiers, Trustee

Tony Carey, Mayor

Laura Brown, Trustee  
Gavin Payne, Trustee  
Fred Skates, Trustee

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#### A ORDINANCE CHANGING THE COMPOSITION OF THE ARTS COMMISSION

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**Agenda Date:** Town Board Meeting - April 23, 2013

**Attachments:** a. Ordinance No. 1137

**Finance Review:**

\_\_\_\_\_  
Finance Director

**Submitted by:**

**Rick Samson**  
"Town Attorney"

**Approved for Presentation:**

  
\_\_\_\_\_  
Town Manager

☐ Quasi-Judicial

☒ Legislative

☐ Administrative

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**Summary Statement:**

*The ordinance expands the number of commission members to 8.*

**Detail of Issue/Request:**

*The Board requested a change to the composition of the Arts Commission by increasing the number of members from seven to eight and allowing no more than two trustees to serve on the commission. In addition the Board wants to allow participation by area residents, who are not also not Frederick residents but who have a particular expertise in the area of fine arts.*

**Legal/Political Considerations:**

**Financial Considerations:**

*"Not Applicable".*

**Staff Recommendation:**



**TOWN OF FREDERICK, COLORADO**  
**ORDINANCE NO. 1137**

**AN ORDINANCE OF THE TOWN OF FREDERICK, COLORADO, AMENDING  
CHAPTER 2, ARTICLE X OF THE *FREDERICK MUNICIPAL CODE* WITH  
RESPECT TO THE MEMBERSHIP OF THE ARTS COMMISSION.**

**WHEREAS**, the Arts Commission has been established to administer the Art in Public Places program of the Town of Frederick; and

**WHEREAS**, it is the desire of the Board of Trustees to expand the membership of the Arts Commission to nine (9) members; and

**WHEREAS**, it is the desire of the Board of Trustees to allow up to two (2) Trustees to serve on the Commission, with the remaining members to be residents of the Town; and

**WHEREAS**, it is the desire of the Board of Trustees to allow a nonresident or individual who by reason of his/her professional training or interest, has a particular expertise in the field of fine arts and a desire to serve as a non-voting member of the Commission;

**BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF FREDERICK, COLORADO, AS FOLLOWS:**

**Section 1.** Section 2-263 of the *Frederick Municipal Code* is hereby repealed in its entirety and reenacted to read as follows:

“Sec. 2-263. Membership.

The Arts Commission shall have eight (8) members consisting of not more than two (2) Trustees, an additional seven (7) members being residents of the Town and one (1) non-resident individual who by reason of his/her professional training or interest has a particular expertise in the field of fine arts and a desire to serve on the Commission. This non-resident shall be a non-voting member of the Commission. The membership of the Arts Commission shall be designated by the Mayor and approved by the Board of Trustees.”

**Section 2.** Subsection 2-264 (a) of the *Frederick Municipal Code* is hereby repealed in its entirety and reenacted to read as follows:

“(a) The Trustee members of the Arts Commission shall serve terms corresponding to their terms in office.”

**Section 3. Effective Date.** This ordinance shall be published and become effective as provided by law.

**Section 4. Severability.** If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining sections of the ordinance. The Town Board hereby declares that it would have passed the ordinance including each part, section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more parts, sections, subsections, sentence, clauses or phrases are declared invalid.

**Section 5. Repealer.** All ordinances or resolutions and motions of the Board of Trustees of the Town of Frederick or parts thereof, in conflict with this ordinance are to the extent of such conflict hereby superseded and repealed, provided that such repealer shall not repeal the repealer clauses of such ordinance, resolution or motion, nor revive any ordinance, resolution or motion thereby.

**INTRODUCED, READ, PASSED, ADOPTED AND ORDERED PUBLISHED THIS \_\_\_\_\_  
DAY OF \_\_\_\_\_, 2013.**

**ATTEST:**

**OF FREDERICK TOWN**

By \_\_\_\_\_  
Meghan C. Martinez, Town Clerk

By \_\_\_\_\_  
Tony Carey, Mayor



# TOWN OF FREDERICK

## Board of Trustees

### Action Memorandum

Jim Wollack, Mayor Pro Tem  
Rafer Burnham, Trustee  
Amy Schiers, Trustee

Tony Carey, Mayor

Laura Brown, Trustee  
Gavin Payne, Trustee  
Fred Skates, Trustee

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#### Consideration of the Stevinson Hyundai Request for Conditional Use (Auto Dealership)

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**Agenda Date:** April 23, 2013

**Attachments:**

- a. Stevinson Hyundai Proposed Subdivision Amendment Map
- b. Vicinity Map
- c. Resolution 13R19

**Finance Review:**

\_\_\_\_\_  
Finance Director

**Submitted by:**

\_\_\_\_\_  
Chris Kennedy  
Planner III

**Approved for Presentation:**

\_\_\_\_\_  
*Matthew S. Z...*  
Town Manager

☒ Quasi-Judicial

☐ Legislative

☐ Administrative

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#### **Summary Statement:**

This is a request to allow a car dealership (conditional use) in a Business Light Industrial zone district on the property north of the existing Lexus dealership generally south and west of Bella Rosa Pkwy and the I-25 frontage road.

**Applicant:** Stevinson Automotive - Kent Stevinson

**Property Owner:** Kent Stevinson

**Location and Zoning:** The project is located north of the existing Lexus dealership east of I-25 and generally south and west of Bella Rosa Pkwy and its intersection with the I-25 frontage road.

**Surrounding Land Uses and Zoning:**

North	Land use: Vacant Zoning: BL-I (Business Light Industrial)
South	Land use: Lexus Dealership Zoning: BL-I (Business Light Industrial) with a PUD Overlay
East	Land use: Vacant Zoning: R-3 (Residential High Density)
West	Land use: Vacant Zoning: BL-I (Business Light Industrial)

### **Request:**

The applicant is requesting to engage in a land use that is allowed conditionally in Business Light Industrial (BLI) zoning districts. If approved, the request would result in the construction of a Hyundai dealership by Stevinson Automotive adjacent to the existing Lexus dealership east of I-25 and south of Bella Rosa Pkwy on the frontage road. Mr. Stevinson has also submitted an application to subdivide the property into 3 new parcels allowing for future construction of additional dealerships and maintenance facilities. Staff anticipates submittal of a site plan and construction drawings for the Hyundai dealership shortly after approval of the conditional use request by the Planning Commission and Board of Trustees, followed by construction during the summer of 2013.

### **Background:**

The Raspberry Hill Business Park Final Plat was approved by the Board of Trustees on April 25, 2004. As a part of that approval, the developer of the business park was required to make surface improvements to the entirety of Raspberry Way, and to construct turn lanes at the intersection of Raspberry Way and the I-25 frontage road. In fact, the access permit issued by the Colorado Department of Transportation (CDOT) allowing Raspberry Way to connect with the I-25 frontage road was contingent upon the installation of those turn lanes. However, the turn lanes were never installed, and since then two businesses, including Stevinson Lexus (Lot 1), have been constructed in the area of that intersection.

In light of the additional traffic that would result from the proposed Hyundai dealership to the north, it is CDOT's position that, for safety reasons, the proposed Hyundai dealership cannot be allowed access to the I-25 frontage road unless the turn lanes are finally installed. As a result, CDOT is working towards revoking the access permit which allows Raspberry Way to connect with the I-25 frontage road. If said access permit were to be revoked, none of the businesses on the north end of Raspberry Way would have direct access to the I-25 frontage road.

### **Conditional Use Review Criteria:** (LUC Section 4.9.4.)

Because of their unusual or special characteristics, conditional uses require review and evaluation so that they may be located properly with respect to their effects on surrounding properties. The review process prescribed in the land use code is intended to ensure compatibility and harmonious development between conditional uses, surrounding properties and the Town at large. Conditional uses may be permitted subject to such conditions and limitations as the Town may prescribe to ensure that the location and operation of the conditional uses will be in accordance with the conditional use criteria. The scope and elements of any conditional use may be limited or qualified by the conditions applicable

to the specific property. Where conditions cannot be devised to achieve these objectives, applications for conditional use permits shall be denied. The review criteria are as follows:

1. The conditional use will satisfy all applicable provisions of this Code and subdivision regulations unless a variance is being requested.

Staff Comment: *No variances are being requested through this application, and the conditional use will satisfy all applicable code provisions. Once the previous conditions for the Raspberry Hill Business Park subdivision are met as discussed previously, the proposed conditional use will have appropriate access. Also, access is still available off CR18. No further issues that would otherwise preclude approval have been identified.*

2. The conditional use will conform with or further the goals, policies and strategies set forth in the Comprehensive Plan.

Staff Comment: *The proposed conditional use is relevant to and in conformance with the following excerpts from the comprehensive plan:*

- *Economic Development Strategy 10.7.1.f: Encourage economic development within the Employment District corridor along Interstate 25.*
- *Growth Strategy 2.1.3: Promote a wide range of quality businesses and industries to provide employment opportunities and services for Frederick citizens.*
- *Growth Strategy 2.1.5: Encourage commercial and industrial neighborhoods to be functional, identifiable areas that do not adversely impact adjacent uses.*
- *Growth Strategy 2.1.7: Minimize and discourage land uses that would detract from the function and viability of commercial and industrial neighborhoods.*
- *Image and Design Policy 5.1: Develop an attractive and inviting sense of place along the Interstate 25 and Highway 52 corridors by using quality architecture, generous landscaping, locating storage areas away from the corridors, and disbursing off-street parking around the site.*

3. The conditional use will be adequately served with public utilities, services and facilities (i.e., water, sewer, electric, schools, street system, fire protection, public transit, storm drainage, refuse collection, parks system, etc.) and not impose an undue burden above and beyond those of the permitted uses of the district.

Staff Comment: *The proposed conditional use would be a car dealership similar in scale to the other two car dealerships in Raspberry Hill Business Park that also front on the I-25 frontage road. Existing utilities have been appropriately scaled to serve a car dealership of this size in this location. Once the previous conditions for the Raspberry Hill Business Park subdivision are met as discussed previously, the proposed conditional use will be served with appropriate transportation infrastructure. Also, access is still available from CR 18.*

4. The conditional use will not substantially alter the basic character of the district in which it is located or jeopardize the development or redevelopment potential of the district.

Staff Comment: *The proposed conditional use would be a car dealership similar in scale to the other two car dealerships in Raspberry Hill Business Park that also front on the I-25 frontage road. The proposed conditional use is representative in nature of the basic character of the district, and would not, therefore, jeopardize development or redevelopment in the area.*

5. The conditional use will result in efficient on- and off-site traffic circulation which will not have a significant adverse impact on the adjacent uses or result in hazardous conditions for pedestrians or vehicles in or adjacent to the site.

Staff Comment: *Once the previous conditions for the Raspberry Hill Business Park subdivision are met as discussed previously, the proposed conditional use will be served with appropriate transportation infrastructure. Access is also still available from CR 18.*

6. Potential negative impacts of the conditional use on the rest of the neighborhood or of the neighborhood on the conditional use have been mitigated through setbacks, architecture, screen walls, landscaping, site arrangement or other methods. The applicant shall satisfactorily address the following impacts:

- (a) Traffic;
- (b) Activity levels;
- (c) Light;
- (d) Noise;
- (e) Odor;
- (f) Building type, style and scale;
- (g) Hours of operation;
- (h) Dust; and
- (i) Erosion control.

Staff Comment: *Once the previous conditions for the Raspberry Hill Business Park subdivision are met as discussed previously, the proposed conditional use will be served with appropriate transportation infrastructure, thereby addressing traffic and activity concerns. Access is also still available from CR 18. Otherwise, the proposed conditional use would be similar in scale to the other two car dealerships in Raspberry Hill Business Park that also front on the I-25 frontage road, and therefore would not be undergoing activities that are different and subsequently more impactful than what is already happening in the area. The properties to the north and east of the proposed conditional use are largely undeveloped and zoned for BLI uses. The proposed conditional use will have to undergo site plan review at which time the potential impacts listed above will be mitigated as usual according to the Town LUC.*

**Public Notice:**

This project was properly noticed according to the requirements of Section 4.5 of the Frederick Land Use Code.

**Legal/Political Considerations:** This request has been reviewed by the Town Attorney.

**Alternatives/Options:** Planning Commission may recommend approval of the request, denial of the request, or approval of the request with conditions.

**Staff Recommendation:** Staff requests that the Planning Commission consider recommending approval of this conditional use request with the following conditions:

1. The applicant shall submit a list of all mineral interests on the property that were noticed at the outset of this process.
2. The applicant shall submit a utility plan outlining the locations of all existing (and future to the best of current knowledge) water, sewer and other utility infrastructure as it relates to proposed lot configuration.
3. Prior to issuance of a certificate of occupancy for the Hyundai dealership on Lot 1, construction of turn lanes will be required at the intersection of Raspberry Way and the I-25 frontage road as outlined in recent correspondence from CDOT.
4. Prior to issuance of a certificate of occupancy for the Hyundai dealership on Lot 1, top-lift treatment will be required along the entirety of Raspberry Way from Godding Hollow Pkwy/CR 18 to the I-25 frontage road according to Town standards. This work may require amendment of an existing MOAPI or development of a new one.

# STEVINSON AUTOMOTIVE SUBDIVISION FINAL PLAT

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION TWENTY-THREE,  
TOWNSHIP TWO NORTH, RANGE SIXTY-EIGHT WEST OF THE SIXTH PRINCIPAL MERIDIAN,  
TOWN OF FREDERICK, COUNTY OF WELD, STATE OF COLORADO

## NOTES

1. NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BE BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREIN.
2. BASIS OF BEARINGS: BEARINGS ARE BASED ON THE WEST LINE OF THE NORTHWEST ONE-QUARTER OF SECTION 23, TOWNSHIP 2 NORTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, SAID LINE BEING CONTROLLED ON THE NORTH END BY A 3.25" ALUMINUM CAP IN MONUMENT BOX AND ON THE SOUTH END BY A 30" #6 REBAR WITH 2" ALUMINUM CAP IN MONUMENT BOX, SAID LINE BEARING S00°07'51"E WITH ALL BEARINGS HEREIN RELATIVE THERETO.
3. ZONING: PER TOWN OF FREDERICK, COLORADO ORDINANCE NO. 943, RECORDED 03/20/2008 AT RECEPTION NO. 3542742, THE SUBJECT PARCEL IS ZONED BLI (BUSINESS LIGHT INDUSTRIAL).
4. FLOOD: THE SITE IS WITHIN ZONE C, AREAS OF MINIMAL FLOODING, AS DETERMINED BY GRAPHIC INTERPRETATION. FLOODPLAIN INFORMATION WAS OBTAINED FROM F.E.M.A. FLOOD INSURANCE RATE MAP FOR WELD COUNTY, COLORADO COMMUNITY PANEL NUMBER 080266 0850 C, REVISED SEPTEMBER 28, 1982.
5. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY FARNSWORTH GROUP TO DETERMINE OWNERSHIP OR EASEMENTS OF RECORD. FOR ALL TITLE INFORMATION OF RECORD, FARNSWORTH GROUP RELIED UPON TITLE COMMITMENT NO. 515-F0425812-171-MSK, PREPARED BY FIDELITY NATIONAL TITLE INSURANCE COMPANY WITH AN EFFECTIVE DATE OF SEPTEMBER 11, 2012 AT 7:00 A.M. REFER TO SAID COMMITMENTS FOR ANY RIGHTS OR EASEMENT WHICH MAY AFFECT THIS PROPERTY BUT ARE NOT GRAPHICALLY DEPICTED.
6. THIS PLAT WAS PREPARED ON FEBRUARY 22, 2013.

## CERTIFICATE OF DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT AUTOMOTIVE SERVICES, INC., BEING THE OWNER(S), MORTGAGEE OR LIENHOLDER OF CERTAIN LANDS IN FREDERICK, COLORADO, DESCRIBED HEREIN, HAS CAUSED SAID LAND TO BE FINAL PLATTED INTO LOTS, TRACTS, BLOCKS, STREETS, AND EASEMENTS AS SHOWN HEREON UNDER THE NAME OF STEVINSON AUTOMOTIVE SUBDIVISION, AND DO HEREBY DEDICATE TO THE PUBLIC FOREVER SUCH PUBLIC STREETS, RIGHTS-OF-WAY, EASEMENTS AND OUTLOTS DESIGNATED OR DESCRIBED AS FOR PUBLIC USES AS SHOWN HEREON AND SUCH OTHER EASEMENTS SHOWN HEREON FOR THE PURPOSES SHOWN. THE ENTITIES NAMED ON THE EASEMENT, OR RESPONSIBLE FOR THE SERVICES AND/OR UTILITIES FOR WHICH THE EASEMENTS ARE ESTABLISHED ARE HEREBY GRANTED THE PERPETUAL RIGHT OF INGRESS AND EGRESS FROM AND TO ADJACENT PROPERTIES FOR THE PURPOSES NAMED ON THE EASEMENT OR FOR THE INSTALLATION, MAINTENANCE AND REPLACEMENT OF UTILITY LINES AND RELATED FACILITIES. THE PUBLIC STREET, PUBLIC RIGHTS-OF-WAY, PUBLIC EASEMENTS, OTHER PLACES DESIGNATED OR DESCRIBED FOR PUBLIC USES SHOWN HEREON AND THE ELECTRIC AND WATER DISTRIBUTION SYSTEMS TO BE INSTALLED IN THE SUBDIVISION ARE DEDICATED AND CONVEYED TO THE TOWN OF FREDERICK, COLORADO, IN FEE SIMPLE ABSOLUTE, WITH MARKETABLE TITLE, FOR PUBLIC USE AND PURPOSES. ALL CONDITIONS, TERMS AND SPECIFICATIONS DESIGNATED OR DESCRIBED HEREIN SHALL BE BINDING ON THE OWNER, ITS HEIRS, SUCCESSORS, AND ASSIGNS. THE SIGNATURE OF ANY REPRESENTATIVE OF ANY PARTNERSHIP OR CORPORATE ENTITY INDICATES THAT ALL REQUIRED PARTNERSHIP OR CORPORATE APPROVALS HAVE BEEN OBTAINED.

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION TWENTY-THREE, TOWNSHIP TWO NORTH, RANGE SIXTY-EIGHT WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF FREDERICK, COUNTY OF WELD, STATE OF COLORADO, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF SECTION TWENTY-THREE, TOWNSHIP TWO NORTH, RANGE SIXTY-EIGHT WEST OF THE SIXTH PRINCIPAL MERIDIAN, FROM WHENCE THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION TWENTY-THREE BEARS S89°42'37"W, 184.08 FEET, AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;

THENCE ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION TWENTY-THREE, N89°42'37"E A DISTANCE OF 847.92 FEET; THENCE N00°39'23"W A DISTANCE OF 543.16 FEET; THENCE N00°00'00"W A DISTANCE OF 885.67 FEET TO THE EAST RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY 25; THENCE ALONG SAID RIGHT-OF-WAY LINE, S04°39'23"E A DISTANCE OF 430.31 FEET; THENCE ALONG A CURVE TURNING TO THE RIGHT WITH A CENTRAL ANGLE OF 03°44", AN ARC LENGTH OF 118.87 FEET, A RADIUS OF 11765.00 FEET, AND A CHORD BEARING S04°22'01"E, 118.87 FEET TO THE POINT OF BEGINNING.

THUS DESCRIBED TRACT OF LAND CONTAINS 10.848 ACRES MORE OR LESS.

IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR HANDS AND SEALS THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D., 20\_\_\_\_.

OWNER  
MORTGAGEE OR LIENHOLDER

STATE OF COLORADO } ss  
COUNTY

THE FOREGOING CERTIFICATE OF OWNERSHIP AND MAINTENANCE WAS ACKNOWLEDGED BEFORE ME BY \_\_\_\_\_ OF \_\_\_\_\_ ACTING IN HIS CAPACITY AS \_\_\_\_\_ OR IN HIS/HER INDIVIDUAL CAPACITY, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

WITNESS MY HAND AND SEAL  
MY COMMISSION EXPIRES \_\_\_\_\_

NOTARY PUBLIC

## LEGEND

- SECTION CORNER
- 3.25" ALUM. CAP, LS25381
- NO. 5 REBAR W/ CAP, LS23500
- PLAT BOUNDARY
- LOT LINE
- EASEMENT LINE
- EXISTING ROAD/PATH
- IRRIGATION DITCH

## SURVEYOR'S CERTIFICATE

I, DAVID C. DIFULVO, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE FINAL PLAT SHOWN HEREON IS A CORRECT DELINEATION OF THE ABOVE DESCRIBED PARCEL OF LAND.

I FURTHER CERTIFY THAT THIS FINAL PLAT MAP AND LEGAL DESCRIPTION WERE PREPARED UNDER MY PERSONAL SUPERVISION AND IN ACCORD WITH APPLICABLE STATE OF COLORADO REQUIREMENTS ON THIS 22 Y OF FEBRUARY, 2013.



DAVID C. DIFULVO, PLS 16401  
FOR AND ON BEHALF OF FARNSWORTH GROUP, INC.  
8055 E. TUFTS AVE., SUITE 850  
DENVER, CO 80237

## PLANNING COMMISSION CERTIFICATE OF APPROVAL

APPROVED BY THE FREDERICK PLANNING COMMISSION WITH PLANNING COMMISSION RESOLUTION 20\_\_\_\_ THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

CHAIRMAN

PLANNING COMMISSION SECRETARY

## CERTIFICATE OF APPROVAL BY THE BOARD OF TRUSTEES

THE FINAL PLAT MAP OF THE \_\_\_\_\_ IS APPROVED AND ACCEPTED BY ORDINANCE NO. \_\_\_\_\_ PASSED AND ADOPTED AT THE REGULAR MEETING OF THE BOARD OF TRUSTEES OF FREDERICK, COLORADO, HELD ON \_\_\_\_\_, 20\_\_\_\_. THE DEDICATIONS OF PUBLIC STREETS, PUBLIC RIGHTS-OF-WAY, PUBLIC EASEMENTS AND OTHER PLACES DESIGNATED OR DESCRIBED FOR PUBLIC USES AS SHOWN HEREON, SUCH OTHER EASEMENTS SHOWN HEREON FOR THE PURPOSES SHOWN, AND THE ELECTRIC AND WATER DISTRIBUTION SYSTEMS TO BE INSTALLED IN THE SUBDIVISION ARE HEREBY ACCEPTED. ALL CONDITIONS, TERMS, AND SPECIFICATIONS DESIGNATED OR DESCRIBED HEREIN SHALL BE BINDING ON THE OWNER, ITS HEIRS, SUCCESSORS, AND ASSIGNS.

ALL EXPENSES INCURRED WITH RESPECT TO IMPROVEMENTS FOR ALL UTILITY SERVICES, PAVING OF STREETS, GRADING, LANDSCAPING, CURBS, GUTTERS, SIDEWALKS, AND WALKWAYS, ROAD LIGHTING, ROAD SIGNS, FLOOD PROTECTION DEVICES, DRAINAGE STRUCTURES AND OTHER IMPROVEMENTS THAT MAY BE REQUIRED TO SERVICE THE SUBDIVISION SHALL BE THE RESPONSIBILITY OF THE OWNER(S) AND NOT THE TOWN. THE CONSTRUCTION OF IMPROVEMENTS BENEFITING THE SUBDIVISION AND THE ASSUMPTION OF MAINTENANCE RESPONSIBILITY FOR SAID IMPROVEMENTS BY THE TOWN OR OTHER ENTITIES SHALL BE SUBJECT TO A SEPARATE MEMORANDUM OF AGREEMENT FOR PUBLIC IMPROVEMENTS.

THIS ACCEPTANCE OF THE FINAL PLAT DOES NOT GUARANTEE THAT THE SOIL CONDITIONS, SUBSURFACE GEOLOGY, GROUNDWATER CONDITIONS OR FLOODING CONDITIONS OF ANY LOT SHOWN HEREON ARE SUCH THAT A BUILDING PERMIT WILL BE ISSUED FOR THAT LOT.

MAYOR

ATTEST:

TOWN CLERK

## CLERK AND RECORDER'S CERTIFICATE

STATE OF COLORADO  
COUNTY OF WELD

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED IN MY OFFICE AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M., THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2013, AND IS RECORDED IN PLAT BOOK \_\_\_\_\_, FILM NO. \_\_\_\_\_.

DEPUTY

RECORDER

FEES



Drawn: TWL Date: 2/22/13  
Designed: \_\_\_\_\_ Checked: DCD

FINAL PLAT  
STEVINSON AUTOMOTIVE SUBDIVISION

SEC. 23, T2N, R68W  
TOWN OF FREDERICK  
COUNTY OF WELD  
STATE OF COLORADO

Book No.: \_\_\_\_\_ Sheet No.: 1 OF 1

Project No.: \_\_\_\_\_





Bella Rosa Parkway/CR 20

Vacant

Unincorporated  
Weld County

Vacant

Unincorporated  
Weld County

Proposed Auto  
Dealership Site

Stevenson Lexus  
Dealership

Indian Peaks  
Business Park

Morningside Estates  
Residential

Raspberry  
Way

Raspberry Hill  
Residential

Raspberry Hill  
Business Park

Toyota  
Dealership

Godding Hollow Parkway/CR 18



0 0.05 0.1 0.2 0.3  
Miles



**TOWN OF FREDERICK, COLORADO  
RESOLUTION NO. 13-R-19**

**A RESOLUTION REGARDING THE REVIEW OF THE REQUEST FOR A  
CONDITIONAL USE PERMIT FOR THE STEVINSON HYUNDAI  
DEALERSHIP**

**WHEREAS**, Stevinson Automotive, 1546 Cole Blvd, Suite 100, Lakewood, CO 80401, has requested a conditional use permit to construct a Hyundai automobile dealership on the property more particularly described in Exhibit A attached hereto; and

**BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF  
FREDERICK, COLORADO, AS FOLLOWS:**

**Section 1. Findings of Fact.** The following findings are made by the Board of Trustees of the Town of Frederick, after due consideration of the testimony given and presentations made during the public hearing conducted by the Board on April 23, 2013.

- a. The applicant's application and supporting documents are in substantial compliance with Section 4.8.4. Review Criteria, of the *Frederick Land Use Code*.
- b. The conditional use will satisfy all applicable provisions of this Code and subdivision regulations;
- c. The conditional use will conform with or further the goals, policies and strategies set forth in the Comprehensive Plan;
- d. The conditional use will be adequately served with public utilities, services and facilities (i.e., water, sewer, electric, schools, street system, fire protection, public transit, storm drainage, refuse collection, parks system, etc.) and not impose an undue burden above and beyond those of the permitted uses of the district.
- e. The conditional use will not substantially alter the basic character of the district in which it is located or jeopardize the development or redevelopment potential of the district.
- f. The conditional use will result in efficient on- and off-site traffic circulation which will not have a significant adverse impact on the adjacent uses or result in hazardous conditions for pedestrians or vehicles in or adjacent to the site.
- g. Potential negative impacts of the conditional use on the rest of the neighborhood or of the neighborhood on the conditional use have been mitigated through setbacks, architecture, screen walls, landscaping, site arrangement or other methods. The applicant shall satisfactorily address the following impacts:

- i. Traffic;
- ii. Activity levels;
- iii. Light;
- iv. Noise;
- v. Odor;
- vi. Building type, style and scale;
- vii. Hours of operation;
- viii. Dust; and
- ix. Erosion control.

**Section 2. Conclusions and Order Approving a Conditional Use Request for the Stevinson Hyundai Dealership.**

- a. The proposed Conditional Use Permit complies with section 4.8.4 of the *Frederick Land Use Code*.
- b. Prior to receipt of a certificate of occupancy for the Stevinson Hyundai Dealership, the Applicant shall meet the conditions outlined by the Planning Commission in PCR-2013-04C as follows:
  - i. The applicant shall submit a list of all mineral interests on the property that were noticed at the outset of this process.
  - ii. The applicant shall submit a utility plan outlining the locations of all existing (and future to the best of current knowledge) water, sewer and other utility infrastructure as it relates to proposed lot configuration.
  - iii. Prior to issuance of a certificate of occupancy for the Hyundai dealership on Lot 1, construction of turn lanes will be required at the intersection of Raspberry Way and the I-25 frontage road as outlined in recent correspondence from CDOT.
  - iv. Prior to issuance of a certificate of occupancy for the Hyundai dealership on Lot 1, top-lift treatment will be required along the entirety of Raspberry Way from Godding Hollow Pkwy/CR 18 to the I-25 frontage road according to Town standards. This work may require amendment of an existing MOAPI or development of a new one.
- c. The proposed Conditional Use Permit for the subject property, subject to the above conditions, should be granted approval.

**INTRODUCED, READ, PASSED, AND SIGNED THIS 23<sup>rd</sup> DAY OF APRIL 2013.**

**ATTEST:**

**TOWN OF FREDERICK**

By \_\_\_\_\_  
Meghan C. Martinez, Town Clerk

By \_\_\_\_\_  
Tony Carey, Mayor

**EXHIBIT A**

STEVINSON HYUNDAI DEALERSHIP SSUBDIVISION FINAL PLAT – LOT 1



# TOWN OF FREDERICK

## Board of Trustees

### Action Memorandum

Jim Wollack, Mayor Pro Tem  
Rafer Burnham, Trustee  
Amy Schiers, Trustee

Tony Carey, Mayor

Laura Brown, Trustee  
Gavin Payne, Trustee  
Fred Skates, Trustee

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#### TO CONSIDER A RESOLUTION ADJUSTING THE CASH IN LIEU FEE FOR THE TOWN'S CBT WATER SHARE FEE

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**Agenda Date:** Town Board Meeting - April 23, 2013

**Attachments:**

- a. Cash in Lieu table of options
- b. Resolution No. 13-R-20

**Finance Review:** No cash outlay. See additional comments below.

\_\_\_\_\_  
Finance Director

**Submitted by:** Richard Leffler, P.E.  
Engineering & Utilities Director

**Approved for Presentation:**   
Town Manager

☐ Quasi-Judicial

☒ Legislative

☐ Administrative

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#### **Summary Statement:**

Approval of the attached resolution would adjust the CBT Water Share Fee. This Fee establishes the Cash in Lieu price of Colorado-Big Thompson water (CBT) to satisfy the Town's water rights dedication requirements. Per the attached resolution the Fee would be increased from the current \$16,800 to a recommended \$22,440 per Single Family Equivalent.

#### **Detail of Issue/Request:**

As specified in Section 13-55.4.(o) of the Frederick Municipal Code, and per Resolution No. 09R016, the Board of Trustees may adjust the CBT Water Share Fee by resolution at any meeting of the Board. The last time this CBT Water Share Fee was adjusted was in December of 2002 per Resolution 02R063, although there have been discussions of the fee in more recent meetings.

It has been the practice of the Town to encourage developers to transfer CBT units to the Town rather than pay Cash in Lieu except for single taps or developments containing just a few lots. This has been accomplished largely by keeping the Cash in Lieu price higher than the market price for CBT. The Town does have the discretion of not accepting Cash in Lieu for any development. With recent increases in the market price for CBT, the Town's current CBT Water Share Fee of \$16,800 for the required 1.2 units of CBT for a Single Family Equivalent (this equates to \$14,000 per CBT unit) is now considerably lower than the CBT market price. Recent sales have transferred at \$15,500 per CBT unit with contracts pending at \$17,000 per unit. The attached spreadsheet shows what the Town's CBT Water Share Fee would be for a range of equivalent market prices per CBT unit. Based on the fact that there are limited numbers of CBT units still available in the marketplace, and recognizing that the Town is limited by contract as to how many additional units it can purchase, it is recommended that the CBT Water Share Fee be increased to \$22,440 as included in the attached resolution.

**Legal/Political Considerations:**

The attached resolution has been reviewed by the Town Attorney and is acceptable in form and content.

**Alternatives/Options:**

Not approve the attached resolution or adjust the CBT Water Share Fee to some amount other than what is proposed here.

**Financial Considerations:**

The Town would be obligated to provide water supplies to meet the demands of taps issued under the cash in lieu option. Supply and demand is driving the price of CBT up at a rapid pace.

**Staff Recommendation:**

Staff recommends that the Board approve the attached Resolution No. 13-R-20 to revise the CBT Transfer Fees.

## Cash in Lieu Rates for Frederick CBT WATER SHARE FEE

This table provides an illustration of possible Cash in Lieu rates.

Frederick requires 1.2 units of CBT for a Single Family Equivalent water tap

CBT Market Price per unit	Corresponding Frederick Cash In Lieu for 1.2 units	Corresponding Cash In Lieu at 10% above market
\$ 14,000	\$ <b>16,800</b>	\$ 18,480
\$ 15,000	\$ 18,000	\$ 19,800
\$ 16,000	\$ 19,200	\$ 21,120
\$ 17,000	\$ 20,400	\$ 22,440
\$ 18,000	\$ 21,600	\$ 23,760
\$ 19,000	\$ 22,800	\$ 25,080
\$ 20,000	\$ 24,000	\$ 26,400

**TOWN OF FREDERICK, COLORADO  
RESOLUTION NO. 13-R-20**

**A RESOLUTION AMENDING THE CBT WATER SHARE FEE IN  
TABLES A THROUGH E OF SECTION 13-55.4.(o) OF THE MUNICIPAL CODE**

**WHEREAS**, Resolution No. 02-R-063 was adopted on December 12, 2002, and;

**WHEREAS**, due to the increase in the cost of CBT water shares, it has been determined by the Board of Trustees that further adjustments to the CBT Water Share Fee must be made to keep pace with said rising costs of water rights;

**BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF FREDERICK, COLORADO, AS FOLLOWS:**

**Section 1.** Tables A through Table E of Section 13-55.4.(o) of the Frederick Municipal Code are hereby repealed and shall be replaced with the following Tables A through E.

**Table A**

For sites platted in Frederick before July 1, 1994 (in Town):

<i>Tap Size</i>	<i>CWCWD Capital Improvement Fee</i>	<i>Frederick Capital Improvement Fee</i>	<i>CBT Water Share Fee / Units</i>	<i>Tap Installation Fee</i>	<i>Total</i>
5/8"	\$ 8,000	\$ 1,000	\$ 22,440 / 1.2	\$ 1,100	\$ 32,540
3/4"	10,000	1,500	33,660 / 1.8	1,300	46,460
1"	15,000	3,000	67,320 / 3.6	1,650	86,970
1½"	26,000	6,000	134,640 / 7.2	3,650	170,290
2"	40,000	10,000	224,400 / 12.0	5,150	279,550

**Table B**

For sites located in Evanston and Wolff Gardens Subdivision of Weld County  
and platted in the County before July 1, 1994 (out of Town):

<i>Tap Size</i>	<i>CWCWD Capital Improvement Fee</i>	<i>Frederick Capital Improvement Fee</i>	<i>CBT Water Share Fee / Units</i>	<i>Tap Installation Fee</i>	<i>Total</i>
5/8"	\$ 8,000	\$1,900	\$22,440 / 1.2	\$ 1,100	\$33,440
¾"	10,000	2,850	33,660 / 1.8	1,300	47,810



**Table C**

For sites located in Evanston and Wolff Gardens Subdivision of Weld County  
and platted in the County after July 1, 1994 (out of Town):

<i>Tap Size</i>	<i>CWCWD Capital Improvement Fee</i>	<i>Frederick Capital Improvement Fee</i>	<i>CBT Water Share Fee / Units</i>	<i>Tap Installation Fee</i>	<i>Total</i>
5/8"	\$10,000	\$2,500	\$22,440 / 1.2	\$ 1,100	\$36,040
3/4"	13,000	3,750	33,660 / 1.8	1,300	51,710

**Table D**

For sites platted in Frederick after July 1, 1994 (in Town) and who are not subject to the  
Native Water Dedication Requirement or who select Alternative 1E  
described in Section 13-55.3 above:

<i>Tap Size</i>	<i>CWCWD Capital Improvement Fee</i>	<i>Frederick Capital Improvement Fee</i>	<i>CBT Water Share Fee / Units</i>	<i>Tap Installation Fee</i>	<i>Total</i>
5/8"	\$10,000	\$ 1,000	\$ 22,440 / 1.2	\$ 1,100	\$ 34,540
3/4"	13,000	1,500	33,660 / 1.8	1,300	49,460
1"	20,000	3,000	67,320 / 3.6	1,650	91,970
1½"	36,000	6,000	134,640 / 7.2	3,650	180,290
2"	56,000	10,000	224,400 / 12.0	5,150	295,550

**Table E**

For sites platted in Frederick after July 1, 1994 (in Town) and who are subject to the  
Native Water Dedication Requirement and who select Water Dedication Alternative 2E  
described in Section 13-55.3 above:

<i>Tap Size</i>	<i>CWCWD Capital Improvement Fee</i>	<i>Frederick Capital Improvement Fee</i>	<i>CBT Water Share Fee / Units</i>	<i>Tap Installation Fee</i>	<i>Total</i>
5/8"	\$10,000	\$ 1,000	\$ 18,700 / 1.0	\$ 1,100	\$ 30,800
3/4"	13,000	1,500	28,050 / 1.5	1,300	43,850
1"	20,000	3,000	56,100 / 3.0	1,650	80,750
1½"	36,000	6,000	112,200 / 6.0	3,650	157,850
2"	56,000	10,000	187,000 / 10.0	5,150	258,150

**INTRODUCED, READ, PASSED, AND SIGNED THIS 23<sup>rd</sup> DAY OF  
APRIL, 2013.**

**ATTEST:**

**TOWN OF FREDERICK**

By \_\_\_\_\_  
Meghan C. Martinez, Town Clerk

\_\_\_\_\_  
Tony Carey, Mayor

Town of Frederick - List of Bills  
March 16, 2013 - April 12, 2013

A PRECIOUS CHILD	Donation	500.00
ABSOLUTE NATURAL RESOURCES LLC	Lake Aerator Maintenance	176.25
ACE HARDWARE OF FIRESTONE	Supplies	172.51
ADAMSON POLICE PRODUCTS	Supplies - PD	4,994.00
ALSCO	Uniforms - PW	156.90
ARIELMIS INC	Centralizing Permit location	62.50
ARROW OFFICE EQUIPMENT, INC.	Supplies	556.14
AT&T Mobility	GPS Modem Service	38.92
B C EXCAVATING INC	Hydrant Meter Services	2,237.53
B&L REPAIR	Auto repairs	1,356.72
BASE LINE LAND & RESERVOIR COMPANY	Water assessment	69.20
BIG R BRIDGE	Golf Course Flagpole	38.64
BOBCAT OF THE ROCKIES	Street cut saw & blade	2,559.99
CAHN PC, JEFFREY H	Judge services - April	992.25
CARBON VALLEY CHAMBER OF COMM.	Board Member Luncheon	12.00
CARBON VALLEY RECREATION DIST	Wellness program - PD	250.00
CASELLE, INC.	Caselle Software Support	1,547.00
CCNC INC	2013 membership fee	100.00
CDW GOVERNMENT	Laptop - PD	3,750.31
CENTRAL WELD COUNTY WATER DIST	March Water Usage	50,177.96
CENTRAL WELD CTY WATER DIST	Tap Fees	160,000.00
CENTURYLINK	Faxes	48.07
CHURCHICH RECREATION, LLC	Canopy at Centennial Park	3,020.00
CIVIL RESOURCES, LLC	Engineering Services - WCR 18, 2011 Drainage	8,831.50
CMCA-Attn: Sharon Washington	Dues-Martinez	160.00
COLORADO CUSTOM CAKE	Employee Appreciation Party	29.00
COLORADO MACHINERY, LLC	Vehicle Battery	297.64
COMCAST CABLE	Phone & Internet Services	425.62
CUMMINS ROCKY MOUNTAIN, INC.	Maintenance on generator	337.50
CUTWATER INVESTOR SERVICES CORP	Investment Services	941.24
DANA KEPNER CO	Hydrant meter, water meter repairs	1,973.46
DCCV THE TI CENTER	Interpreter	237.50
DEPARTMENT OF MOTOR VEHICLE	OJ/W & DEFAULT FEES FOR FIRST QUARTER OF 2013	195.00
Discount Tire Service	PW Vehicle Maintenance	1,154.58
DUNRITE EXCAVATION INC	Hydrant Meter Refund	2,200.00
EBERL, SUSAN	Reimburse - Training	42.38
ENVIROTECH SERVICES, INC.	Ice slicer	2,371.55
EWING AUTO PARTS INC.	Auto supplies	58.87
EXPONENTIAL ENGINEERING COMPANY	2012 Operations & Maint. Agreement	753.66
FAIRFIELD AND WOODS PC	Legal Services	7,517.25
FEDEX KINKO'S	Postage	2,866.34
FOWLER LAW FIRM	Legal Services	153.30
FREDERICK FIRESTONE FIRE PROTECTION DIST	Blood draw on DUI suspect	33.20
GOODYEAR TIRE CENTER	Auto supplies	520.28
HALLECK ENTERPRISES	Rent for PW	1,317.00
HOME DEPOT/GEFC	PW Supplies	280.19
INT'L INSTITUTE MUNICIPAL CLKS	Annual Dues	145.00
IWORQ SYSTEMS	Annual software license	1,272.00
KING CHEVROLET	2- New Cheverolet Tahoe	59,120.00
KING SURVEYORS INC	Kobobel annexation	1,132.00
KING SURVEYORS INC	ROW desc for CR 18 & CR 13 town property	813.50
KINSCO LLC	Supplies - PD	252.47

Town of Frederick - List of Bills  
March 16, 2013 - April 12, 2013

LEUNG, WILLIAM Y	Consulting Services	6,774.17
LONGMONT TROPHY & ENGRAVING	Engraving and casting	566.05
MAIN STREET MAT COMPANY	Rugs	365.38
MOUNTAIN STATES EMPLOYERS COUNCIL	2nd Qtr Dues & Training	1,558.00
NEW CONSOLIDATED LOWER BOULDER RESERVOI	Water assessment - \$240/sh x 65.8741 shares	15,809.78
NORTHERN CO. WATER CONSERVANCY	Water transfer fees, 2013 Water Assessment	4,860.24
NORTHERN COLORADO CONSTRUCTORS	Asphalt Patching 2nd & Locust	1,750.00
NORTHERN COLORADO PAPER, INC.	Supplies	51.08
OFFICE DEPOT	Supplies	268.99
PET PICK-UPS	Pet Pick Up Bags	644.56
PINNACOL ASSURANCE	Worker's Compensation	6,730.35
PRAIRIE MOUNTAIN PUBLISHING LLP	Ordinance/Publishing	514.82
PRE ACTION FIRE INC	Extinguisher Repairs & Wireless monitoring	944.00
PRECISION SAMPLING	Hydrant Meter Deposit Refund	2,200.00
PUBLIC AGENCY TRAINING COUNCIL	Training - PD	425.00
RAMEY ENVIRONMENTAL COMPLIANCE	Water Operator Compliance	100.00
RICOH	Final Canon Copier	8.38
RICOH USA INC	First quarter user fees	503.89
ROCK PRODUCTS OF COLORADO	Roadbase	117.29
SAFEWAY	Donation - Santa Cops	300.00
SAMSON & VIDERGAR	Town Attorney	11,500.00
SCHWARTZKOPF, TYLER	March 26, 2013 Board Meeting	50.00
SKYLINE BUILDERS	Hydrant Meter Deposit Refund	2,200.00
SOURCE GAS	Ambulance Building	1,671.86
STAPLES ADVANTAGE	Supplies	160.33
STEPHEN T. WILLIAMSON	Legal services	3,059.80
STRIGLOS COMPANIES, INC.	Computer Equipment	1,023.62
TIMBERLAN	Computer Services	5,828.75
TLO LLC	March's billing fee for Investigations	70.00
UNITED POWER	Street Light Repair - Peace Street	1,002.86
UNIVERSITY OF MINNESOTA	Training - PW	45.00
USPS-HASLER	Postage for Meter	1,000.00
UTILITY NOTIFICATION CENTER OF COLORADO	Street Cut Repair & Locates	1,745.73
VERIZON WIRELESS	Cellphone Service	1,663.01
VINCENT, REBECCA	Mileage - State Capital Tour	31.57
WASTE CONNECTIONS INC	Trash Services	32,425.96
WATER USERS ASSOC, DIST #6	Water assessment	202.70
WELD COUNTY GOVERNMENT	Confinement charges	25.22
WELD COUNTY HEALTH DEPT	Water Testing	1,457.00
WRIGHT EXPRESS	Fuel	7,578.13
Total:		445,482.44

**REGULAR BOARD MEETING MINUTES  
TOWN OF FREDERICK BOARD OF TRUSTEES  
Frederick Town Hall, 401 Locust Street  
Tuesday, April 16, 2013**

At 7:00 P.M. Mayor Carey called the meeting to order and requested roll call.

**Roll Call**

Present were Mayor Carey, Mayor Pro Tem Wollack and Trustees Schiers, Skates, Payne, and Burnham. Trustee Brown was not present. Also present were Town Manager Matt LeCerf, Town Attorney Rick Samson, and Town Clerk Meghan Martinez.

**Approval of Agenda:** There were no additions or deletions to the agenda

**Special Presentations:**

Frederick Elementary Warrior Fun Run: Jamie Steele showed a video of last year's Warrior Fun Run and discussed the upcoming fun run and the new things they are adding. He asked for sponsorship for the 3<sup>rd</sup> Annual Fun Run and invited the Board of Trustees to attend. Motion by Mayor Pro Tem Wollack to approve \$300 for the annual warrior fun run and seconded by Trustee Schiers. Upon roll call vote, motion passed unanimously.

Carbon Valley Half Marathon: Brenda Ridgley and Steve Cloyd, 6870 Sparrow Avenue, discussed the upcoming Half Marathon. She discussed the route of the half marathon and requested sponsorship. Motion by Trustee Schiers and seconded by Mayor Pro Tem Wollack to approve \$370 for the Carbon Valley Half Marathon. Upon roll call vote, motion passed unanimously.

**Public Comment:**

The Mayor announced that no one had signed up for public comment.

**Staff Reports:**

Administrative Report: Town Manager Matt LeCerf provided the Board with a written report.

Town Attorney's Report: Town Attorney Rick Samson provided the Board with a written status report.

**Action Agenda:**

Resolution 13R15 Creation of an Urban Renewal Authority: Chris Kennedy presented the proposed creation of an urban renewal authority. He discussed the factors in identifying blight. Paul Benedetti, 2730 Iliff Street, Boulder, also discussed the factors of blight and discussed the creation of the Urban Renewal Authority.

At 7:47 the Mayor opened the public hearing.

Carmen DeSantis, 425 6<sup>th</sup> Street discussed his concerns about labeling the area as blight. He asked for the plan to be clarified for each property owner. He asked the Board to wait for additional population growth. He felt it was a good tool but he felt that the process will be detrimental to the Town in the long run.

Christopher Ty Ingmire, 358 2<sup>nd</sup> Street asked questions regarding the authority. He asked how it will be funded and how expenditures will be made. He also asked if any neighboring communities have

an Urban Renewal Authority. He asked if there were any projects in mind. As a property and homeowner in Old Town, he likes to see the community get better and look nicer.

Pete Ryan, 7998 Hope Court expressed concern that the area pictured has been established as a blight area. He was concerned that property owners would be affected. He asked what specifically would be accomplished. He would like to see specific direction and projects when the authority is established. He asked how it would affect him as a resident and would like specifics. He encouraged not going forward.

Mayor Carey asked that the item be continued to a later meeting. He requested that the Town Clerk publish the notice of public hearing in the newspaper and reset the hearing for a further date.

Mayor Carey noted that this meeting was a continuation of the schedule April 9, 2013 Board Meeting.

**Discussion Agenda:** Town Manager Matt LeCerf discussed TABOR and de-brucing and asked for direction from the Board. The Board discussed their thoughts on TABOR and de-brucing. Direction was given to the Town Manager to bring a potential ballot question to the next meeting.

**Consent Agenda:** Mayor Carey removed Item E. Motion by Mayor Pro Tem Wollack and seconded by Trustee Payne to approve the amended consent agenda. Upon roll call vote motion passed unanimously.

Town Attorney Rick Samson asked for clarification on the proposed ordinance to modify the membership of the Arts Commission. Motion by Mayor Pro Tem Wollack and seconded by Trustee Schiers to make the Arts Commission an 8 member commission with 1 member as a non-voting, non-resident member and also allowing up to two board members to be part of the commission. Upon roll call vote, motion passed unanimously.

### **Mayor and Trustee Reports:**

**Trustee Burnham:** Nothing at this time.

**Mayor Pro Tem Wollack:** Thanks to staff for all their work.

**Trustee Skates:** He attended the meeting at the bank the other night and staff put a lot of work into their presentations. Thanks to everyone.

**Trustee Schiers:** The presentations that have come before them have been fantastic. Also, public works has done a wonderful job on snow removal. Reminder about After Prom, they are still looking for volunteers. She also noted that they have never designated an alternate for DRCOG.

**Trustee Payne:** Public Works did a great job on the snow removal.

**Mayor Carey:** He attended Democracy Day in Longmont. He met many fine students that have such a great grasp of very large issues. They discussed fracking and school funding. There will be a presentation by John Schallert at the Longmont Chamber on April 25<sup>th</sup>. A downtown meeting has been scheduled for May 13<sup>th</sup>.

There being no further business for the Board of Trustees to consider, Mayor Carey closed the meeting at 9:07 p.m.

ATTEST:

Approved by the Board of Trustees:

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Meghan C. Martinez, Town Clerk

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Tony Carey, Mayor